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FREE TRADE IN LAND.



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# FREE TRADE IN LAND.

BY

JOSEPH KAY, ESQ., M.A., Q.C.,

OF TRIN. COLL., CAMBRIDGE;

AUTHOR OF "THE LAW RELATING TO SHIPMASTERS AND SEAMEN."

EDITED BY HIS WIDOW.

*WITH PREFACE*

BY

*THE RIGHT HON. JOHN BRIGHT, M.P.*

*Third Edition.*

LONDON:

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1879.

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## P R E F A C E.

—o—

LIBRARY SETS  
I HAVE been asked to write a few words of introduction to this Volume. I do it willingly, although I cannot think that any special introduction is required.

DEC 16 1940  
The subject discussed in it is so important, and the manner in which it is treated is so good, that I hope and believe the Volume will recommend itself to that increasing portion of the public which takes an interest in one of the greatest and most pressing questions of the day.

HARDING  
It is a matter of deep regret that the Author of the Letters of which the book is mainly composed, did not live to complete his work. He was competent, perhaps above any other writer on the subject of our Land Laws, to treat his favourite question with admirable clearness of exposition, and with a knowledge and experience derived from much travel abroad, from careful investigation at home, and from accurate legal study of the difficulties by which it is surrounded.

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As the reader acquaints himself with the contents of the Volume, he will perceive how moderate and how just are the views which are advocated in it. There is nothing to alarm intelligent owners of land ; there is no support given to any of the wild propositions which some speculative writers have put forth, and which ignorant and illogical men have adopted or favoured.

The Author is always just ; he seeks to give that freedom to the soil which our laws have given to its produce, and which they give to personal property of every kind ; he would leave to their free action the natural forces which tend to the accumulation of landed property on the one hand, as well as those which tend to its dispersion on the other ; he would so change our laws as to give to every present generation an absolute control over the soil, free from the paralysing influences which afflict it now from the ignorance, the folly, the obstinacy, or the pride of the generations which have passed away.

He shows, by abundant evidence, how great is the gain to the humbler classes of society, to the labourers, and peasants, and small farmers of the countries in which the reforms he advocates have been effected, and he pleads urgently on behalf of the suffering and helpless population of our country, bound to the land by a tie which is more that of

serfdom than one of ownership and of independent enjoyment and possession.

I venture to recommend this Volume to owners of estates, to tenant farmers, to the labourers on their farms, and to the crowded populations of our large villages and towns.

There is no class of our people which has not a great and direct interest in the reforms it explains and advocates. It may prove a legacy of much good from one who is now withdrawn from amongst us, if it hasten the time when, in addition to the many gains of freedom of which we justly boast, we may boast also of the freedom of our soil.

JOHN BRIGHT.

*March 26, 1879.*





## PREFACE BY THE EDITOR.



MR. KAY intended to publish the contents of the following Letters as soon as he had completed the series. He wished to re-arrange them in Chapters, and divest them of the repetitions incidental to their original form, that of a series of Letters published in the "Manchester Examiner and Times."

My husband, however, died while engaged in the composition of No. XV., the concluding portion of which would have contained an account of the Land Laws of Germany. There would have been one more Letter only, in which he would have summed up the results he had arrived at, and which he had already indicated in the earlier Letters.

Since it is beyond my power to carry out precisely what my husband intended, I have decided to publish the Letters as they were written, with only such slight alterations as the writer himself indicated while the work was in hand.

These alterations occur in Letters II. and VII., which have been slightly recast in accordance with wishes he had expressed to me.

In a few cases paragraphs have been inserted as they were written by my husband after the publication of the Letters, and with a view to their final arrangement.

MARY E. KAY.

18 HYDE PARK GARDENS,

*March 29, 1879.*

# CONTENTS.



	PAGE
PREFACE BY THE RIGHT HONOURABLE JOHN BRIGHT	v
EDITOR'S PREFACE . . . . .	ix
MEMOIR . . . . .	1-8
INTRODUCTION TO THE LETTERS . . . . .	9-10

## LETTER I.

### THE ACTUAL CONDITION OF THINGS WHICH THE PRESENT LAND LAWS HAVE PRODUCED.

Returns of so-called "Doomsday Books" . . . . .	11
In what respects misleading . . . . .	12
Size of great estates in England . . . . .	14
Scotland . . . . .	15
Ireland . . . . .	16
Effect of present Land Laws on peasantry in Great Britain . . . . .	19
Foster accumulation of land in few hands. . . . .	20

## LETTER II.

### ON SOME FALLACIES AND MISCONCEPTIONS.

Misconceptions as to "Primogeniture" . . . . .	23
Entail . . . . .	24
Objections to expression "Free Land" . . . . .	25

	PAGE
Sir Stafford Northcote criticised . . . . .	26
Mr. Francis Newman . . . . .	27
Mr. Froude . . . . .	28
True causes which prevent land coming into market . . . . .	29

## LETTER III.

## THE EXISTING LAND LAWS.

Land Laws offspring of Feudal System . . . . .	32
Laws which oppose "Free Trade" in Land . . . . .	33
Settlements and Devise . . . . .	33
Primogeniture . . . . .	39
Leases for long terms of years . . . . .	39

## LETTER IV.

## EVIL CONSEQUENCES OF THE EXISTING LAWS.

Estates kept out of the market . . . . .	44
Parental control lessened . . . . .	48
Effect upon Heirs . . . . .	49
Unworthy persons maintained in influential positions . . . . .	50
Management of estates interfered with . . . . .	50
Agricultural improvements retarded . . . . .	52

## LETTER V.

EVIL CONSEQUENCES (*continued*).

Expense and obscurity of conveyances . . . . .	55
Investigation of Titles . . . . .	56
Uncertainty of Titles . . . . .	57
Benefits of the South Australian system of Registration of Title . . . . .	58
Accumulation of land in few hands . . . . .	59
Contrast between English and German peasantry . . . . .	60
Evil consequences aggravated in Ireland by Absenteeism . . . . .	61

LETTER VI.

EVIL CONSEQUENCES (*continued*).

	PAGE
Recapitulation of Letters IV. and V. . . . .	64
Law of Distress . . . . .	65
Law of Fixtures . . . . .	68
Administration of Game Laws . . . . .	70
Want of Leases . . . . .	73
County Franchise and Education . . . . .	74
Stimulus to Extravagance . . . . .	76

LETTER VII.

ON REGISTRATION.

Registration defined and explained . . . . .	78
Reason of failure of Registration in England . . . . .	79
Contrast with foreign countries . . . . .	80

LETTER VIII.

IMPRESSIONS PRODUCED BY FOREIGN TRAVEL 1844-1850.

Author appointed travelling bachelor of the University of Cambridge . . . . .	82
Switzerland visited . . . . .	83
Training College of M. Vehrli at Constance . . . . .	84
Contrast between Saxony and Bohemia . . . . .	88
Education in Switzerland . . . . .	91
Want of, in France . . . . .	91

LETTER IX.

ON FRANCE.

French System of Land Laws . . . . .	94
Code Napoléon . . . . .	97

	PAGE
Division of land in France . . . . .	97
Size of estates . . . . .	98
French people content with System . . . . .	100

## LETTER X.

## WITNESSES TO THE EFFECTS OF THE FRENCH LAND LAWS

Letter of Mr. Cobden quoted . . . . .	104
M. Passy . . . . .	110
M. Gustave de Beaumont . . . . .	112
M. de Lavergne . . . . .	115
Mr. Hamerton . . . . .	116
Corn and Wine produced in 1850 and 1876 . . . . .	116

## LETTER XI.

EVEN THE FRENCH SYSTEM PROMOTES THE PROSPERITY  
AND HAPPINESS OF THE RURAL POPULATION.

Mr. Coleman on French agriculture . . . . .	119
Increasing use of machinery in France . . . . .	122
Counteracting influences to excessive subdivision in Norway . . . . .	123
In Switzerland . . . . .	126

## LETTER XII.

## THE CHANNEL ISLANDS.

Objection to French System from climate answered . . . . .	132
Land Laws of Guernsey . . . . .	133
Of Jersey . . . . .	133
Value of Land in Channel Islands . . . . .	135
Trade with London . . . . .	135
Prosperous condition of small owners . . . . .	136
Houses and cottages . . . . .	139
Markets . . . . .	141

LETTER XIII.

ON BELGIUM.

	PAGE
Soil and climate . . . . .	146
Effect of local customs and manufacturing towns . . . . .	148
Contrast between tenants and owners . . . . .	150
Small properties not burdened with debt . . . . .	154
System of Registration . . . . .	156

LETTER XIV.

DISADVANTAGES OF THE FRENCH SYSTEM OF LAND LAWS.

Excessive limitation of owner's power of devise . . . . .	161
Effect upon father's authority . . . . .	162
Improvements slowly adopted in France . . . . .	163
Tendency to excessive subdivision . . . . .	164

LETTER XV.

THE SYSTEM OF LAND LAWS IN FORCE IN PRUSSIA, AND IN  
TWO OR THREE OF THE SMALLER GERMAN STATES.

Division of Land in Prussia . . . . .	168
---------------------------------------	-----

APPENDIX . . . . .	173-331
--------------------	---------

INDEX TO APPENDIX . . . . .	332
-----------------------------	-----





# MEMOIR.



*[The following kindly record published in the "Manchester Examiner and Times" of the 11th October 1878, seems to form a fitting introduction to this series of Letters.—ED.]*

WITH deep regret we have to announce this morning the death of Mr. Joseph Kay, a man whose many and various associations with this district have made his name familiar to thousands of our readers, and whose private virtues endeared him to a multitude of devoted friends. Mr. Kay had long been a sufferer—he never entirely recovered, indeed, from the serious illness which prevented his appearance at the last Salford election, but his death, up to within a few hours before it happened, was quite unexpected—and, as a political thinker and writer, he may be said to have died in harness. His death occurred on Wednesday, at Fredley, near Dorking, Surrey, his home during the last few years, the name of which, too, will be henceforth sadly familiar to the readers of this journal.

By many ties the late Mr. Kay was connected with Manchester, or, rather, with the neighbouring borough, which he always called his native town. There he was born, and received his earliest education; there he filled an important judicial office, and there on two occasions his name was inscribed on the banner of political liberty during momentous political crises. From his boyhood he

had been an earnest and zealous political student, and, as the brother and pupil of Sir James Kay-Shuttleworth, his thoughts were early directed towards social and ethical reforms. Thus, though he was no longer a young man when he first consented to become a candidate for parliamentary honours, he brought to the contest an ardent and enthusiastic nature, singularly well informed on the most important political questions, and able to discuss them with no less insight than eloquence. But the secret of Mr. Kay's influence was chiefly due to the sterling honesty of his character; the charm of his manner, the closeness of his reasoning, and the vigour and force of his oratory, never failed to carry away a popular audience; but they were all the more effective because they were expressive of the thoughts and feelings of one of the kindest and honestest men of his time. And while his loss will be lamented by thousands who only knew him as a public man, by those who had watched his career as a lawyer and judge, who had read his luminous and forcible essays on such subjects as Education, Land Tenure Reform, &c., and who had listened to his stirring orations as a political champion, we do not hesitate to say that only those who had the privilege to call him friend were able to gauge the depth of tenderness in his nature, the sweetness and gentleness of his disposition, and the measure of his excellence in the most sacred duties of life.

Mr. Joseph Kay was born at Ordsal Cottage, Ordsal Lane, Salford, in the year 1821; he was the son of the late Mr. Robert Kay, the representative of an old Lancashire trading family. As we said above, he went first to a school in Salford, where some of the best-known of our citizens of to-day were his schoolfellows. Afterwards he was educated with the sons of Sir Thomas Fowell Buxton, and at this time the echo and excitement of the anti-slavery agitation reached the ears of the sons of the great philanthropist, and their friend's first aspirations as a politician were in favour of freedom to the slave. At

Cambridge Mr. Kay had a successful career, and after taking his degree, his appointment as "travelling bachelor" in 1844 gave him the opportunity of investigating the legal codes of foreign countries, and of testing by the experience of direct observation the comparative advantages of divergent systems. To the studies of this time are due the most important literary labours of his after life. Startled, as he has said, at what he saw of the results abroad of "free trade in land," he made close inquiries into the working of the Land Laws, as well as the educational systems of Germany and Switzerland.

In one of his recent letters he thus refers to his first experience of the duties of his office : "I left England on my appointed duties, furnished with introductions from our Government and from the German Ambassador, Chevalier Bunsen, to all the Governments and other authorities and heads of institutions who could aid me in my proposed inquiries. I went first to Switzerland, partly because in that country were to be found some of the greatest leaders of the educational movement which had been for many years spreading through Western Europe, and partly because I knew that some of the cantons were, even at that time, making the greatest efforts to perfect the schools for the children of all classes of their people. I visited first the rich agricultural cantons of Neuchâtel, Berne, Vaud, Argovie, Zurich, Geneva, and Thurgovie. As I travelled through these prosperous districts, from school to school, I was more and more struck by the prosperous appearance of the farms, by the high farming, the substantial comfort, size, and excellence of the farm buildings, the number, beauty, and fine condition of the cattle, the extraordinary richness of the pastures, and the evident care that I observed on every hand not to waste anything, either land in wasteful fences or in undrained plots, or any portions of the manures from the farms and homesteads, or anything that could by any means conduce to increase the produce of the farms. I was astonished

also to see how much care and expense were bestowed on the embellishment of the exterior of the houses, as if the inmates were really interested in them. I noticed, also, that although the everyday working dresses of the men and women were of very coarse, substantial, and often home-made materials, I seldom, if ever, saw rags even on the working days, while on the Sundays men and women always appeared in comfortable, substantial, unpatched clothes, and often, if not generally, in their national costume, or at least with some part of their picturesque cantonal ornaments. But what surprised me as much as, if not more than, anything, was that as I drove along the public roads for miles, even near the towns, the roads were bordered by rows of magnificent fruit trees of various kinds. These trees had no protection against theft. There were no hedges or palings. They were all open to any passenger along the roads. I have seen hundreds of miles of such roadside orchards in Switzerland, Germany, and Italy, and have constantly looked with astonishment at the wonderful respect for property which all this evinced. After some time spent in examining the primary schools throughout Switzerland, I went to the Lake of Constance, to visit and inspect the celebrated Training College for Teachers, which was then presided over by the celebrated Vehrli, at that time one of the most distinguished promoters of the education of the working classes in Europe." Vehrli took him to see a large agricultural school in the neighbourhood, which was maintained in order to enable the sons of small farmers to improve to the utmost their modes of farming and the capabilities of their land. Everything he saw was a source of wonder to him, and he began to study not only the education question, but the not less grave one of "free trade in land." When he saw the agricultural labourers struggling for themselves, working for no landlord, sharing their winnings with no master, he was more and more impressed with the moral and social effects of the release of the land from feudal laws. And

then he began to ask himself—Would a like release have like results in England? “I returned to England,” he said, “and began the earnest study of our Land Laws. I then returned to the Continent, and travelled through the principal countries of Germany. Throughout these countries I found that the feudal laws had been done away, and that the educated yeomen farmers and peasants were cultivating their own lands. Everywhere I found the good effects of these great reforms manifested in the moral wellbeing of the yeomen farmers and peasants, in the healthy self-help they manifested, in their hopeful looks, in the good and substantial appearance of their villages and houses, in the economical and careful management of their fields.”

In 1846 Mr. Kay published “Education of the Poor in England and Europe,” and in 1850 “The Social Condition and Education of the People in England and Europe.” It is scarcely necessary to remind our readers that for many years Mr. Kay has been a regular contributor to our own columns, and the ink is scarcely dry on his last written communication. With what ability he has discussed the Education and Land Law Reform they do not require to be told; few modern writers, indeed, have brought to bear on these subjects so much thought and such exact knowledge, and his wise lessons have been rendered all the more valuable by remarkable illustrative power, and by the advantage of a graceful and vigorous style. A few years ago he published a treatise on “The Law relating to Shipmasters and Seamen,” which established his position as an authority on the maritime and mercantile law of the country. In these and his other literary works Mr. Kay has left a rich legacy of political wisdom, of the value of which we have happily not been entirely ignorant during his lifetime.

As an education reformer Mr. Kay was no mere theorist; he was deeply interested in the first attempt at anything like a system of national elementary education in this country initiated by his brother, Sir James Kay-

Shuttleworth. When the first English Training College for Teachers was established by Sir James Kay-Shuttleworth, and Mr. Tufnell at Battersea, Mr. Kay for about a year had great opportunities of observing and assisting in its management.

Mr. Kay was called to the Bar by the Honourable Society of the Inner Temple on the 5th of May 1848, and joined the Northern Circuit. In 1862 he was appointed Judge of the Salford Hundred Court of Record, and this appointment brought him into closer contact with the borough, though he had never ceased to keep up intimate social relations with many of his early friends here. He was made a Queen's Counsel in 1869. In the same year the Manchester Court of Record was amalgamated with the Salford Hundred Court, and Mr. H. W. West, Q.C., and Mr. Kay were appointed joint judges of the new court. Though Mr. Kay has not sat as judge for some time, he held that office at the time of his death.<sup>1</sup>

Of Mr. Kay as the Liberal candidate for Salford it is quite needless to say more than a few words. His ability and attainments were recognised by his opponents, and his telling speeches will not soon be forgotten—speeches in which sound and sterling views were expressed in choice and eloquent language, and with the skill of a practised and scholarly orator. How deep was the regard and how sustained the trust Mr. Kay won from the Liberal party in Salford in 1874 (when he and Mr. Henry Lee were opposed to Mr. Cawley and Mr. Charley) was emphatically manifested when Mr. Cawley's lamented death in 1877 caused another contest. Mr. Kay had only spoken a few times in the borough since the previous election, and he was then suffering from the effects of his exertions at a meeting in the Town Hall in the previous February. Yet though it was known that his presence was impossible—notwith-

<sup>1</sup> Shortly after being made a Queen's Counsel, Mr. Kay was elected a Bencher of the Inner Temple, and in 1872 was appointed Solicitor-General of the County Palatine of Durham.

standing the disadvantage of a fight in the absence of the standard-bearer—the influence of his very name was considered so great that his candidature was accepted with enthusiastic acclamation. It was said at the time of his first contest that “he was a Liberal in the best sense of the word, neither an obstructive nor a destructive ;” and he certainly never advocated change for the sake of change ; but always maintained that without constant modifications according to the changing wants of the age, no institutions could be kept “in good repair.” He married Mary Elizabeth, eldest daughter of the late Captain Thomas Drummond, who was for some years Under-Secretary of State for Ireland, and without any violations of that reserve which should be held specially sacred at this moment, it may be said that never was a union more completely happy. His long and painful illness was borne with serene steadfast composure, and his almost heroic cheerfulness was sustained by the tenderest and most devoted love ; and the kindness and consideration for others which throughout his life won for him the love and regard of all who knew him intimately were not wanting in his last hours.

At such a time the rancour of political strife is forgotten, and in the case of a man in whom party differences rarely, if ever, interfered with private friendship, it is all the more easy to realise how much in his departure we have lost as a community. There have been many men whose opportunities for active political life have been more extensive, and Mr. Kay will perhaps be remembered rather as a philosophical thinker and writer than as an ardent partisan. Only his most intimate friends could fairly estimate his great capabilities, his generosity, and disinterestedness. At a period like the present, indeed, it is difficult to avoid repining for the loss of a man apparently so well fitted to play a conspicuous part in political life ; but how few men leave us whose careers have been rendered so useful to

their fellow-creatures. No fulsome record of imaginary virtues, no catalogue of imaginary services, will be inscribed on the tomb of Joseph Kay, but those to whom he was nearest and dearest may be assured that his memory will be kept green in the hearts of the best men and women of his native town as a genial and accomplished gentleman, a faithful friend, and an honest man.



## INTRODUCTION TO THE LETTERS.

—o—

*December 15, 1877.*

IN these letters I wish to explain, as simply, clearly, and shortly as I can, the facts of a great subject, which will henceforward until its settlement more and more draw to itself the attention of the public—I mean the subject of the Land Laws.

It is surrounded by so many technicalities, and by so many statutes and decisions of the courts—the law is so difficult even for lawyers to understand ; such a vast literature of rubbish has grown up around it ; so many thousands of cases have been argued and reported upon its meaning ; and lawyers are so unwilling to put their own hands to the work of reform—that it is not wonderful that the most singular mistakes should be made by many public speakers in dealing with this question, and that the real reforms which are needed, should still be wrapped in so much obscurity.

And yet I believe that this subject is capable of a simple and intelligible statement, and that the facts in which the unprofessional public are interested are few and easy of comprehension.

I am, however, almost astonished at myself for venturing on the above statement, when I reflect that I have known the deed of settlement of one estate to require many months for its preparation ; to cover nearly a barrow-load of paper when written out preparatory to being engrossed on parchment ; and to cost over £400 for the conveyancer's charges

alone, without reckoning either the solicitor's charges or the cost of the necessary stamps.

And yet, with all this cumbrous, costly, and scarcely intelligible verbosity, the title of such an estate is scarcely ever free from some doubt or question.

I propose to try to explain:—

1. The actual condition of things which the present Land Laws have produced.

2. What the actual existing laws are, under which this condition has been produced.

3. The different state of things which exists in foreign countries.

4. What remedies we ought to seek ,

## LETTER I.

### *THE ACTUAL CONDITION OF THINGS WHICH THE PRESENT LAND LAWS HAVE PRODUCED.*

*December 15, 1877.*

To ascertain this we must consult some extraordinary and interesting returns, which have been recently prepared—I mean, of course, the so-called “Doomsday Books.”

These returns were moved for in the House of Lords, on the 19th February 1872, by the present Earl of Derby—himself one of the largest of the English landowners—who in moving for the returns showed clearly what his motive for wishing for them was, by stating his belief that the number of landowners in the United Kingdom was nearer 300,000 than 30,000, as had been constantly stated; that it was a popular fallacy to suppose that small estates were gradually being absorbed in the larger ones; but that “it was true that the class of peasant proprietors formerly to be found in the rural districts was tending to disappear.”

It was therefore with the expectation, if not with the object, of making out these propositions, that the return was demanded of and granted by the assembly of the greatest landowners of the United Kingdom.

So far as giving us an approximate idea of the size and number of the great estates, these returns are as interesting as they are astounding; and astounding they most certainly are, for they disclose a state of things existing in Great Britain and Ireland which has no parallel in any other civilised country in the world. But even in professing to

state the size and number of the great estates, they do not tell us the whole of the story, for they do not include in the alleged sizes of these estates the acreage of any woods or plantations, or of any waste or common lands, all the vast extent of which property is not added to the estates of their owners. "Doomsday Books," therefore, only give the sizes of the estates after deducting the immense area covered with woods, plantations, waste, and common lands.

So far as showing the number of the owners of small agricultural estates, or as they used to be called "yeomen proprietors' estates," the "Doomsday Books" are utterly worthless, if not utterly misleading, for not only do they mix up in the number of "*owners* of one acre and upwards" all the large number of small building plots purchased by members of the middle and shop-keeping classes, on which to erect houses or villas, but they also mix up in the same number and reckon as *owners* of land all holders of land on leases for terms *exceeding* 99 years. That is, in order to swell the number of small *owners*, they have reckoned *leaseholders* as *owners* ! It is difficult to conceive a more misleading statement. I will try to explain why I say so. First of all, it should be remembered that, at the end of these terms of more than 99 years, the lands held by these leaseholders return to the great landowners, together with all that has been expended upon them, and together with all the improvement in value which has resulted from this expenditure. A leaseholder has never the same feeling towards, nor the same full interest in the land he so holds, that he would have if he knew that it was his own property. But more than this, the land held for these terms of more than 99 years is almost always subject to various kinds of covenants and conditions—such as to expend upon it a certain sum of money for buildings or other kinds of improvement; or to expend at certain periodical times on restorations; or to insure; or to cultivate in a particular kind of way; or not to use the lands for certain named and specified purposes; or not to shoot the

game ; or to allow the landlord to enter to inspect, or to shoot the game, or for other purposes ; or not to cut any timber, or not to remove fences, or to keep up erections on the land ; or to observe some other agreed duties. Many of these leases contain agreements that the land-owners shall have the power to enter and take possession, if any of these covenants is broken.

Besides all this, it must be remembered, as I know from the best possible authority, that neither the "Rate Books," nor any other parochial documents either could, from their entries, or did enable the Local Government Board to ascertain what lands were held for *even 99 years*.

But, in those cases where lands were merely *reputed* to be held on lease, the overseers and rate collectors were instructed to obtain the best available information as to the term on which they were held, and to omit or insert the lessees accordingly. And when it is remembered how naturally unwilling, for many substantial reasons, both the land-owner and the lessee generally are to make public the terms of the holding, or the nature of their mutual arrangements, it may be faintly conceived how utterly worthless this part of the returns of the "Doomsday Books" really is.

Such a holding as this is less like real ownership than a horse hired by any one is like a horse which belongs to him ; for, at any rate, when any one hires a horse he is not bound down by covenants as a leaseholder is. I say, therefore, that it was ridiculous and misleading in the extreme to include these leaseholds for more than 99 years among the freeholds, or, in other words, among the small estates belonging out and out to the occupiers themselves. If we could possibly ascertain the number of yeomen proprietors actually owning out and 'out small farms, we should find that number a very small, and, as Lord Derby admits, a constantly decreasing one. Even the House of Lords did not venture to propose that these 99 years' leaseholds should be reckoned as freeholds. The nearest approach to such a proposition was made by the Marquis of Salisbury,

who "urged that the 999 years' leaseholds ought to be included in the returns." But when we come to consider the number and size of the great estates, we find the returns of extraordinary interest. Although the full size of these great estates is not shown, on account of the omission of woods, waste lands, and commons, the returns are indeed so startling, that one is lost in astonishment that Lord Derby should have deemed it for the interest of his brother landowners to disclose the truth.

I shall only attempt to state some of the more remarkable results, merely observing that each one is worthy of serious reflection, and that its full significance can only be grasped by trying to form some approximate idea of the meaning of these figures.

The total area of England and Wales is, after deducting the quantity within the metropolitan area, 37,243,859 acres.

How is this vast extent divided among the inhabitants?

66 persons own 1,917,076 acres.

100 persons own 3,917,641.

Less than 280 persons own 5,425,764, or nearly one-sixth of the enclosed land of England and Wales.

523 persons own one-fifth of England and Wales.

710 persons own more than one-fourth of England and Wales.

874 persons own 9,267,031 acres.

Just think how small a number 874 persons are in a church or town hall, and then try to realise what the figures 9,267,031 signify.

And it is to be remembered that in none of these calculations are the extents of woods, commons, and waste lands included.

But to continue, in the county of Northumberland, which contains 1,220,000 acres, 26 persons own one-half the county.

One Englishman owns more than 186,397 acres, another more than 132,996 acres, and another more than 102,785 acres.

A body of men, which does not probably exceed 4500, own more than 17,498,200 acres, or more than one-half of all England and Wales.

In Scotland the returns are still more startling. The total acreage of Scotland is 18,946,694 acres. One owner alone has 1,326,000 acres in Scotland, and also 32,095 in England, or a total of 1,358,548 acres.

A second owner has 431,000 acres, a third owner has 424,000, a fourth owner has 373,000, a fifth owner has 306,000. Twelve owners have 4,339,722 acres, or nearly one-quarter of the whole of Scotland; or, in other words, a tract of country larger than the whole of Wales, and equal in size to eight English counties, viz., Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Cheshire, Cornwall, Cumberland, and Derbyshire.

20 owners have each more than 120,000 acres.

24 owners have 4,931,884, or more than one-quarter of Scotland.

70 owners have about 9,400,000 acres, or about one-half of Scotland.

171 owners have 11,029,228 acres.

While nine-tenths of the whole of Scotland, that is, of the whole of 18,946,694 acres, belong to fewer than 1700 persons.

The existence of these vast properties in Scotland has led to the depopulating of great tracts of country in order to create large deer forests. There is no return of their acreage, but the Hon. Lyulph Stanley calculates that much more than 2,000,000 acres have been cleared of hundreds of thousands of sheep, and depopulated, in order to make room for deer; or in other words, the homes and farms and food of thousands of families have been destroyed in order to feed the deer and encourage sport, and this in a country which is alleged to be so crowded as to make it absurd to suppose that any alteration in the Land Laws would enable the middle or labouring classes to acquire land.

But let us turn to Ireland. Here, also, the framers of the returns have reckoned leaseholds for more than 99 years as freeholds. And here, also, it is impossible to ascertain from the returns the number of yeomen proprietors who exist in the island. No doubt the number, spite of the sales of lands under the Encumbered Estates Act, the Land Act, the Bright clauses, and the Disestablishment Act is very small. But whatever the number, the returns do not enable us to ascertain it, for the reasons already given.

Now certainly one would have said *a priori*, that if there was any country in the world in which it was desirable to have a large and widely-distributed body of yeomen proprietors, that country was Ireland. Such proprietors, wherever they exist, are always found to be conservative in the best sense of the word, deeply interested in public peace and order, self-denying and saving, prosperous, and anxious to promote the good education of their children. In all countries where the Land Laws have allowed or promoted the existence of such proprietors, these results have invariably followed. Similar laws would be followed, as I believe, by similar results in Ireland. But not only are there very few such proprietors in Ireland, but the system of great estates adds, in Ireland, to its other evils one which is not experienced to any great extent in England or Scotland, namely, the evil of absenteeism. A large proportion of the great landowners of Ireland reside in distant countries, carry away the revenues of their Irish lands into those countries, and instead of spending those revenues among their Irish tenants and neighbours, in the promotion of Irish industries and in the improvement of their Irish tenants, spend them among other people, while their Irish tenants are left, without the support or countenance of their landlords, to the tender mercies of agents, who are often strangers to Ireland.

But let us see what light these returns throw upon the division of land in Ireland.



The total area of Ireland is 20,159,678 acres. Of this—  
452 persons own each more than 5000 acres.

135 persons own each more than 10,000 acres.

90 persons own each more than 20,000 acres.

14 persons own each more than 50,000 acres.

3 persons own each more than 100,000 acres.

1 person owns 170,119 acres.

292 persons hold 6,458,100 acres, or about one-third of the island.

744 persons hold 9,612,728 acres, or about one-half of the island.

Taking the acreage of the 12 largest owners in each of the three kingdoms, we have the following result:—

In England, the 12 largest owners hold in the aggregate 1,058,883 acres; and their respective acreages are 186,397—132,996—102,785—91,024—87,515—78,542—70,022—68,066—66,105—61,018—57,802—and 56,600.

In Scotland, the 12 largest owners hold in the aggregate 4,339,722 acres; and their respective acreages are 1,358,548—431,000—424,000—373,000—306,000—302,283—253,221—220,663—194,640—175,114—166,151—and 165,648.

In Ireland, the 12 largest owners hold in the aggregate 1,297,888 acres; and their respective acreages are 170,119—156,974—121,353—118,607—114,881—101,030—95,008—94,551—93,629—86,321—72,915—and 69,501.

In the United Kingdom, the 12 largest owners hold in the aggregate no less than 4,440,467 acres, as the able summary published in the “Times” states.

Two-thirds of the whole of England and Wales are held by only 10,207 persons.

Two-thirds of the whole of Scotland are held by only 330 persons.

Two-thirds of the whole of Ireland are held by 1942 persons.

Of the remaining one-third, a great part will, at the termination of the leaseholds for the present remainders

of the original term for 99 years and upwards, revert to these great owners, with all the improvements made upon them by the expenditure of the leaseholders.

Mr. Froude, the enthusiastic advocate for the present system of Land Laws, says frankly, "The House of Lords does own more than *a third* of the whole area of Great Britain. *Two-thirds* of it really belong to great peers and commoners, whose estates are continually devouring the small estates adjoining them."

This statement, by the landowners' one-sided and eager partisan, that the great estates, vast as they already are, are "continually devouring" the few remaining small agricultural properties, is borne out by the admission of one great landowner, Lord Derby, that "the class of peasant proprietors formerly to be found in the rural districts was tending to disappear." These statements are only too sadly true. There is no doubt that England once possessed a large class of independent, well-to-do, self-supporting yeomen proprietors. Old writers treat it as one of the boasts of Old England that she had so many small freehold yeomen. Where are they now?

By our system of Land Laws we have been cutting away the base of our social pyramid, while nearly all other civilised countries have been pursuing an exactly opposite policy.

Since the French Revolution of 1789, the greater part of the land throughout the republics of Switzerland and France, the empires of Germany and Austria, and the kingdoms of Holland, Belgium, and Italy, has been released from its feudal fetters, and has in every such case begun immediately to break up into smaller estates. In all those countries the consequence has been, what it would be in Great Britain and Ireland, the division of the land into estates of all sizes, and the creation of a class of conservative, industrious, prosperous, and independent yeomen proprietors.

Lord Derby shows us by his returns what the condition

of the large estates is in Great Britain and Ireland, although he avoids showing what the effect of all this has been upon our small farmers and upon our agricultural labourers.

It would be a most interesting subject of inquiry, had we only the means of following it out, to ascertain how each of the great estates came to be formed. How many were created by the industry and personal efforts of some ancestor ; how many were the grants of sovereigns to their favourites ; how many were gradually amassed by successive marriages of convenience ; how many were obtained by ambitious statesmen, in the troublous times of our rough island story, by the attainder and death of rivals ; how many were either created or immensely increased by grants of the vast possessions of the religious houses and of the Roman Church ; how many were the results of our fierce and bloody civil wars and struggles. It would indeed be a curious and instructive study. But they exist, and no one wishes to interfere with the just rights of property. The only question we all desire to have answered is, Is it for the common weal that the laws which affect land, and which, as I and many others affirm, have the same effect here that similar laws used to have on the Continent of Europe—viz., to keep the land tied up in great estates, and to prevent it from coming into the market as much as it otherwise would do—should be retained upon the statute book of Great Britain and Ireland ?

Before leaving this division of our subject, let us for a moment consider what effect these laws have on the class of the peasantry in Great Britain. In the countries in which these laws have been repealed, the peasants and small leasehold farmers know that if they exercise sufficient self-denial and thrift, and if they are successful in laying by their savings, they may look forward to the time when they may purchase a cottage, a garden, or a small farm of their own. This knowledge is an immense incentive to exertion, self-denial, and economy. Throughout the greater part of Europe, and in the most thickly-populated provinces of

those countries, in provinces where land sells for agricultural purposes at prices equal, and even higher, than in England, tens of thousands, nay millions, of the peasants and small farmers have worked their way upwards to the position of independent yeomen proprietors.

How strangely different is the case in Great Britain. How many peasants can call their cottages or their gardens their own freeholds? How many have the slightest security of tenure, even of the smallest cottage, except the will of their landlords? Nay, more, how many small farmers, no matter what their industry, their thrift, or their self-denial, can ever hope to win the smallest freehold of their own?

One of the most interesting bodies of men in our island used to be the small "statesmen," or freehold farmers of Cumberland and Westmoreland, a set of independent yeomanry of which any country might have been proud. Within the last 50 years they have been disappearing before the "devouring" maw of the great owners, who buy regardless of rent or profit, and often merely for the purpose of swelling their already vast possessions.

But, it is said, this will always be the case—the great estates will always devour the small; a small farmer or a peasant will never be able to compete with a rich owner in the auction room; the small freeholder will never sell unless it is better for him to do so; no laws will stop this tendency of things in Great Britain. I believe this to be the greatest possible fallacy. It is contradicted by the experience of all other countries. The existence and small number of these vast estates create an unnatural and unwise competition among them, each to emulate his neighbour to increase his possessions. Each great owner knows that political influence, social influence, position among other great neighbours, depend to a great degree in this country on the extent of landed possessions. When, therefore, a small freehold adjoining one of these vast estates comes into the market owing to death, or embarrassment, or other cause, it constantly happens that the agent of the

great landowner comes into the auction room and buys up the small freehold, wholly regardless of the question whether the sum paid can ever return any reasonable amount of interest or not. So the poorer bidder, inasmuch as he must consider what return he could hope to make on his outlay, finds himself nowhere in the struggle. I could mention the names of great proprietors who have for long years acted on this principle, simply with the view of enlarging their estates.

“In some counties,” as Mr. Shaw Lefevre states, “all the land which comes into the market is bought up by the trustees of wills directing the accumulation of land; while in most parts of the country, if a small freehold of a few acres comes into the market, it is almost certain to be bought up by an adjoining owner, either for the purpose of rounding off a corner of his estate, or for extending political influence, or still more often by the advice of the family solicitor, who is always in favour of increasing the family estates. On most large estates there will be found the remains of several manor houses, either converted into farmhouses or labourers’ cottages, showing that in former times the number of resident squires must have been far more numerous.”

If our laws did not keep the great estates out of the market, when many circumstances would otherwise often bring them into it; if the laws did not assist the landowners to preserve their estates from the natural consequences of spendthrift and speculative successors, of bad or ignorant management, and of immoral, gambling, or improvident children; if the laws did not keep the great estates together, spite of all changes of circumstances which occur to make it expedient in an owner to sell; if the laws of primogeniture, wills, and settlements were altered; and if the dead man’s arrangements were not allowed to bind the land long after his death, many of these estates would come into the market, and would, in order to fetch the best prices, divide and sell in smaller plots, just as they have done to

some extent in Ireland under the Encumbered Estates and Land Acts, spite of primogeniture and settlements; and just as they have always done in foreign countries to an immense extent, where primogeniture and settlements have either been done away with or greatly modified.

Besides, the very knowledge that a great proprietor could not tie up his estate, and secure it from sale for many future years, would of itself diminish this exaggerated longing to acquire land for the purpose of founding a family and acquiring social and political influence. Even the richer and greater owners would consider whether the price asked would be a good investment or not.

But if all this is not true, if no alteration of these laws would prevent the accumulation in a few hands, and the long continuance of the same estate in the same family, then of what possible use can these Land Laws be?

By these Land Laws, as it seems to me, we not only injure our small farmer and peasant classes, and reduce them below the level of such classes in the countries where these laws have been repealed, but we also at the same time deprive the country of the immensely valuable element of a contented, prosperous, intelligent, and conservative rural population.

## LETTER II.

### *ON SOME FALLACIES AND MISCONCEPTIONS.*

*December 27, 1877.*

BEFORE I attempt to explain what the actual existing Land Laws are, under which the condition of things which I described in my first letter has been produced, it is necessary to get rid of some fallacies which have laid hold of the public mind upon this subject. And, indeed, it is not surprising that strange misconceptions should exist, considering how we lawyers have surrounded and overlaid the subject with technical terms, with innumerable finely-drawn distinctions, with many thousands of decisions of the courts, and with statutes heaped on statutes, many of which are expressed in the scarcely intelligible jargon of the middle-age legal language.

It is not, therefore, matter for surprise that many able laymen, when discussing this subject upon the public platforms, should use language which makes lawyers smile, and which is only too sadly calculated to mislead their hearers, or, at least, to divert their attention from the real points to which it ought to be specially directed.

First and foremost, it is absolutely necessary to get rid of the idea that the vast accumulation of land, which I described in the former letter, has been caused by "primogeniture." Nothing can be more incorrect. "Primogeniture" only means that when an owner of land dies without having made a deed or a will settling and disposing of his land, the land in such case shall all go to his legal "heir,"

without any other relations taking anything. No doubt this is very objectionable, and no doubt it tends to some extent, where no deed or will exists, to keep the great estates together, but only to a small extent. For first, very few landowners are so foolish as not to make a deed or will; and secondly, even where such a case occurs, the legal "heir" takes the land without any restriction or limit to his full power to sell or give it away, just as he pleases, and without anything to prevent his creditors, if he is in debt, seizing and selling it. I think the law of "Primogeniture," as it is called, ought to be done away with, but it is not this law which is mainly to blame, but the laws which enable the owners to tie up the land for so many years by deeds and wills, as I will presently explain. Another fallacy, which is sometimes anxiously insisted on, is that the law allows landowners to tie up their land and keep it out of the market "in perpetuity," as it is said; or in other words, for all future time. This is simply a delusion. The law, bad as it is in my opinion, is not so bad as this. No person is allowed by the law to tie up his land, so that it cannot be sold, for a longer period than the lifetimes of any number of persons actually in existence at the time when the deed or will was made, and until the unborn child of some one of those persons attains the age of twenty-one. But a landowner is allowed to let his land for very long terms of years, which may in some cases have the effect of preventing any one person having the entire control over it, or being the perfect owner of it, or being able to sell it, for much more than one hundred years. Another fallacy is to lay all the blame upon the "entail" laws, as they are popularly called. It is quite true that many entailed estates are really, by the deed or will which created the "entail," prevented from coming into the market, or, to speak more correctly, put under such regulations that no owner can sell for a great many years; but an estate which is "entailed" is not always necessarily in such a position. An owner of an estate which is entailed may be, and often



is, in such a position that he can, if he will, sell or give the land to any one he chooses, though such a case is an exceptional one; inasmuch as, before such a state of circumstances occurs as to give him this power, another deed is generally made which takes away from the owner all powers of selling for many, many years again.

“Free Land” is another expression sometimes used even by earnest and accomplished reformers, which is open to great objection. Sir Henry James, Q.C., M.P., one of our ablest lawyers, said at Taunton that he did not in the least understand what was meant by the term. And if an able lawyer like Sir Henry is puzzled by the term, what must be its effect on minds ignorant of all laws, and especially of this really difficult subject of the Land Laws. It is surely well that earnest men, who desire to promote reform on this subject, should avoid making use of terms which are capable of the most obnoxious and injurious interpretations, and which are certain to strengthen the doubts and opposition of enemies, and even of hesitating friends. “Free land” may mean land freed from all law whatever; or that land should belong to those who are strong enough to seize and hold; or that all land should belong to the State, who should divide, or let, or lend it as it will; or that it should be freed from all claims and titles at present affecting it; or, as the agricultural labourers’ journals are now seriously, but alas! how ignorantly or wickedly, arguing, that every peasant should have a plot of land granted to him out of the great estates; or, in fact, many other equally obnoxious significations.

What I am most anxious to urge upon all land-law reformers is this—we have enough opposition without increasing it by using vague and alarming terms, which only serve to create opponents, without even teaching or enlightening friends. Land-law reformers are already sufficiently misunderstood, and the difficulties of the subject are already sufficiently great, without our increasing them by language which is only calculated to alarm, without being capable of

instructing. At any rate I cannot say too often or too strongly, that I am not to be numbered among those who desire "free land," in any sense which can be reasonably attached to the term. I wonder, as was suggested to me a few days ago by a thoughtful and intelligent friend, where the free-trade question would be even now if its advocates had gone about discussing vaguely "free corn."

To pass on to another of these strange expressions. It is a totally unfounded fallacy to say, as Sir Stafford Northcote did in his speech at Bournemouth on December 4th, 1877, that any of the intelligent leaders of public opinion among the Liberal party want "a free system of the distribution of land." I do not know what Sir Stafford exactly meant by these words, or indeed if they meant anything at all; but, if they did, it is sufficient to say that no intelligent Liberal wishes for any system "of the distribution of the land." All that they desire is that the law should not interfere to prevent the sale and breaking up of the great estates, when change of circumstances, or poverty, or misfortune, or bad management, or immorality, would otherwise bring them into the market.

Neither is it true, in any sense, that really thoughtful men wish to compel the subdivision of estates.<sup>1</sup> They only desire that the law should not oppose such subdivision if circumstances would otherwise render it certain to happen. Neither do they desire, as is constantly alleged, that all the land should be divided into little estates. That is not the case in France, or in any other civilised country in the world. Even in France, whose Land Laws we do not wish

<sup>1</sup> I have been asked why I am opposed to the proposal to limit the amount of land which a man might hold, and also why a landowner should not be forced to sell all his estate, except a limited portion, on receiving proper notices from purchasers intending to buy? I answer, that if gentlemen who make these suggestions really think they are practicable, or reasonable, or desirable, nothing I could say or do would convince them to the contrary. They propose schemes which I have neither the time nor the inclination to fight. Life is too short for some sorts of controversies.

to copy, the land is—spite of the law, which seeks to compel subdivision—divided into great estates, medium-sized estates, small estates, and gardens, owned by their possessors. But the vast difference between France and Great Britain is, that if a great landowner in France mismanages his estate, or gets ruinously into debt, or does not care to keep it, or feels that he could employ his capital to some better purpose in some other way, he is never prevented by deed or by will from selling, nor is his land ever protected by law from being sold.

An extraordinary doctrine is that which is advocated by Mr. Francis W. Newman, in "*Fraser's Magazine*" for December 1877, viz., "to limit by law the magnitude of estates;" and he suggests, "for discussion, a thousand acres as the ideal maximum for rural land, and two acres for town land." Now, I hope it is not necessary to say that all the thoughtful leaders of the Liberal party, and, as I believe, nearly all their followers, would oppose any such proposition as much as the Conservatives. If such a scheme were possible, it would be highly inexpedient, for many obvious reasons. And even if it were expedient, it is utterly impossible. Such schemes frighten many of even the Liberal party from any calm consideration of the reform of the Land Laws. Indeed, when one sees such a proposition appearing in "*Fraser*," where only a few months since Mr. Froude's partisan and vehement article against all change in the Land Laws appeared, one is tempted to exclaim that surely "an enemy hath done this." These are but a sample of the strange statements that one hears from day to day in public and in private whenever the subject of the Land Laws is discussed. I have heard educated, liberal men asserting in good faith that they cannot believe that it would be wise to divide all the land of Great Britain and Ireland among peasant proprietors, as if such a thing were possible, or ever contemplated, or as if such a thing had ever been accomplished or attempted in any civilised country.

Another fallacy is one put forward by Mr. Froude, who says : "People complain of the law of entail (meaning thereby the Land Laws) as if it interfered with the subdivision of landed property. It rather sustains such small estates as remain. Abolish entail if you please, but accumulation will only proceed the more rapidly."

But if this is true, if the accumulation of the great estates will go on not only as rapidly as it does now, but "more rapidly" still, "devouring the small estates adjoining," what earthly reason can there be for retaining these laws? It seems strange to retain obnoxious laws, which invite cavil and opposition, when the very objects for which they were framed might be attained still more effectually without them. It is useless to tell Mr. Froude, or men who, like him, will not even regard what can be said on the other side, that England is alone now in her support of these laws—that all other civilised countries have either greatly modified them, or have entirely got rid of them, or are getting rid of them; and that, in every country in which these laws have been abolished, the great estates, instead of going on increasing in size, as Mr. Froude prophesies, have divided into smaller estates of all sizes.

"But," says Mr. Froude, "unless the area of Great Britain could be made larger than it is, or until the British people change their nature, a peasant proprietary is a dream."

But he forgets, or pushes out of sight, the fact that the getting rid of similar laws in Belgium, Italy, Switzerland, and the richest and more populous provinces of Germany and France, caused the rapid creation of estates of all sizes, and of classes of yeomen and peasant proprietors.

He says further, "France is now divided into between five and six million freeholds. At the death of a proprietor his land is shared among his children, and the partition is only arrested at the point at which the family of the cultivator can be fed."

But does he not know, or does he again push out of

sight the obnoxious fact, that throughout France there are many large estates, each producing thousands of pounds a year, and estates of all sizes, as well as the small estates, of which he writes so incorrectly?

But he tells us that we are in our maturity, or past it, and that we cannot afford to act as other countries do—that we are to hold fast to our institutions. This is the old, old cry which has been always raised when any great reform has been advocated, and which is always raised to defend abuses when all else has failed. And then he tells us that if we do not respect our past, *i.e.*, our old institutions, we shall have no future to respect.

The same powerful and well-worn argument was applied in opposition to the Reform Bill, the Municipal Corporations Bill, the Free Trade measure, the Repeal of the Navigation Laws, and all the other vast measures of reform which have been passed during the last 45 years, and which have served to strengthen the foundations of our English Constitution, spite of all the storms which during the same period have raged around it.

But putting aside these strange fallacies, many of which have been insisted upon in order to raise a prejudice against those who wish to reform the Land Laws, it cannot be too earnestly insisted on, that no matter how these great estates were originally formed, the main causes which at the present day keep them together, and prevent many of them coming into the market, are the laws which allow the owners to make deeds and wills which for many years, and often long after the owners' deaths, prevent the land from being sold, or the estate from being divided, no matter how expedient it may be that it should be sold, or no matter how foolish or extravagant the owner may be. Let me give an instance of what I mean. I was the trustee of a large and valuable estate in the South of England. This estate, 50 or 60 years ago, came into the possession of a young titled man, who was just 21 years old, and whom I will call Lord A——. He became the absolute owner of it, unfettered by

any deed, or will, or mortgage. The whole income of the estate belonged to him. He married when he was about 22 years of age. Upon his marriage, deeds were executed which gave him only a life interest in the estate, and then settled the property on his children most strictly. That was 50 or 60 years ago. He had one child, and as soon as that child was 21 another deed was made giving that child only a life interest in the estate, and settling it after his death on the children he might leave in succession. The estate was divided into large farms and very valuable woods. Lord A—— was an extravagant and reckless man. He hunted the country. He kept open house. He lived as if his income were ten times as great as it was. He gambled and lost heavily. He raised money on his life interest. He finally fled from England deeply in debt and lived abroad. The remainder of his life interest, which was only worth the annual thinning of the woods, was sold to a Jew, who knew he would lose all as soon as Lord A—— died. That state of things lasted about 40 years. The farmers had no leases and no security for any expenditure. They were unwilling to expend on the restoration or substantial maintenance of the farm buildings. The Jew would not spend, for he did not know, and could not know, when Lord A—— might die. The gentleman who took the mansion would not expend upon it, because he could not tell when he might be turned out.

The Jew, in order to make as much out of the estate as he could, raised the rents as much as he could, and cut out of the beautiful park and woods far more timber than any unembarrassed owner would have done, and so the estate was damaged more and more year by year; the tenantry were prevented from dealing fairly by the land or fairly to themselves; there was no one to support the schools or the church, or to look after the large village of labourers upon the property. All social progress and all social prosperity upon the estate were put an end to. The farm buildings fell into decay; the land was not properly drained or

cultivated; the plantations were injured; the mansion became dilapidated; and all this was caused by the deeds which the law had allowed the lord and his heir to execute.

If it had not been for these deeds, the estate would have been sold, either in one or in many lots, at least 40 years ago, and would have gone unfettered and unburdened into the hands of men who would have expended capital upon it and developed all its resources.

In my next letter I shall try to show what powers the law confers upon the landowners, and how the exercise of these powers prevents the sale or division of the large estates.

## LETTER III.

### *THE EXISTING LAND LAWS.*

*January 3, 1878.*

I SHALL now proceed to try to explain what the Land Laws are, under which the condition of things described in my letter No. I has been produced.

The laws of which we are going to treat emanated from and are the offspring, so to speak, of the feudal system established in this country by the Conqueror and his successors in the eleventh and twelfth centuries. Since those days a continued struggle has gone on—the people, assisted by the lawyers, seeking to modify them, or to find out means of evading them; the great nobles and sovereigns, who were interested in them, seeking to maintain or re-establish their stringency.

Sometimes one party gained ground in the struggle and sometimes another; but as time went on, the growing necessities of the nation and the increasing power of the middle classes effected many modifications. Then broke out the great French Revolution of 1789. It found the feudal system existing in much greater stringency abroad than in Great Britain and Ireland, and causing infinitely more misery among the middle and lower classes in foreign countries than our modified laws were doing in Great Britain and Ireland. It swept away the feudal laws, first in France, Belgium, and Holland, and then in Germany and the northern part of Italy, but it did not affect the modified feudal Land Laws which still existed in Great Britain and Ireland.



The great estates broke up on one side of the British Channel, but, thanks to the modifications which had been submitted to upon the other side, they not only continued to exist, but they also continued greatly to increase in size, and greatly to diminish in numbers.

It is no part of the object of these letters to trace out these gradual and very limited modifications. All I propose to show is, what those laws are, which at the present time oppose free trade in land, and prevent many of the great estates coming into the market, when, if it were not for these laws, they would undoubtedly do so. To state this in the shortest possible manner, they are :—

1. The laws which allow a landowner, by his deed, or by his will, to prevent his land being sold, or seized, or lessened in size, either during his own life, or for many years after his death.

2. The law which, if the landowner does not avail himself of his power to make such a deed or will, gives all his land, without diminution or charge, and in one undivided estate, to the landowner's next "heir." This is the law of "Primogeniture."

3. The laws which allow the landowner, without selling any portion of his estate, to let portions for long terms of years, from 99 to 999 years, and to subject them to all kinds of covenants, which affect these portions for generations after the death of the landowner, and after a change of all the circumstances under which the leases were made.

1. I will attempt to explain the first allegation.

Let me suppose that Lord D—— has an estate in the North of England of 50,000 acres. This is a moderate supposition, when we remember the sizes of some of the English and Scotch estates. And yet how difficult it is to realise the meaning of these figures. A public park of 100 acres is considered a large and noble pleasure-ground for even such a city as Manchester. But it would require 500 such parks to make an estate of 50,000 acres, and it would require 27 estates of 50,000 acres each, or 12,500 such

public parks of 100 acres each, to form an estate equal to that which is now, in these days, owned by the greatest Scotch landowner.

Let us suppose Lord D—— to be 22 years of age and unmarried, and to be the legal owner of these 50,000 acres, without being fettered by deed, or will, or mortgage. In such case he would be able to give, or sell, or divide his estate just as he pleased.

Let us suppose he marries at 22 years of age. In such case the law enables him upon his marriage to make a deed giving his land to trustees, with directions to pay a certain sum per annum to his wife during her life, and the rest of the rental of the estate to himself during his life, and after his death to pay the rental to persons specified, to whom I will refer further afterwards.

If after this deed has been made Lord D—— turns out utterly reckless and extravagant, gambles, or goes on to the turf and falls hopelessly into debt, as Lord A—— did in the case mentioned in letter No. 2, his land cannot be sold, however expedient it may be that it should pass into the possession and management of better men. The income of the estate would go to pay the creditors. There would be no one during Lord D——'s life to perform the duties of a landlord; no one to give leases to the farmers, which would enable them to safely lay out money in improvements; there would be no landlord who could keep up the farm buildings or mansion, and the estate would fall into ruin, just in the same way as Lord A——'s actually did. Many an estate has been left for many years in such a position, owing to such a deed. In Lord A——'s case, the estate continued in that state for about 50 years. But, further, besides allowing Lord D—— upon his marriage to tie up his land by the deed for his own lifetime, the law allows him to do much more.

Suppose that A., B., and C. are his children, or nephews, or friends, and that C. is an infant, 1 year old, when Lord D—— dies. The law enables Lord D——, by deed or will, to direct that as soon as he (Lord D——) is dead, A. shall

have the estate for A.'s lifetime; that after A.'s death, B. shall have it for his lifetime; and that after B.'s death, C., the infant, shall have it for his lifetime ; and that after C.'s death, the first son of C. who attains 21 years of age shall take the estate entailed upon him and his children.

Under such a deed A., B., and C. have, if they live and succeed to the estate one after another, only limited interests in the property. Each would only take, at the most, a right to possess and enjoy the estate for the remainder of his own lifetime. Beyond that, neither would have any interest in or power over the estate. Under such a deed or will, it is impossible to sell the estate out and out, until some son of C. has attained 21 years of age. This may not happen for 50, 60, or 80 years after the death of Lord D——, and even then the estate cannot be sold out and out, unless C. and his son agree to do so. Thus it often happens that such a deed or will has the effect of preventing any one selling the estate, or any part of it, for 80 or 100 years. During all this time Lord D——'s estate is kept together, and is prevented from being sold, by a dead man's deed or will.

But more than this, Lord D—— is allowed by law, by such a deed or will, to lay down all kinds of regulations for the management of the land, for paying annuities out of it to relations and dependents, for the management of the woods and mines, and for the investment in other land of the proceeds and rental of the estate. And however much circumstances may change during all this period of time after his death, Lord D——'s deed or will still ties up the estate, still regulates its management, still keeps it unsold and undivided. Well may it be said that "the dead man's hand" keeps its grip upon the estate for generations. Very often, too, an owner like Lord D—— directs by his deed or will that A., B., and C. shall only have a right to receive the rents, or part of the rents, of the estate, and that the land shall belong to trustees, who shall devote the other part of the rents to buying more land, or to planting more timber, or to carrying out specified improvements, or to rebuilding the mansion, or to some

other purpose. Close to where I am writing, a large estate has been given to trustees in this way. They are ordered by the will to let the mansion for a certain number of years, not to allow the heir to come into possession until he has attained a certain age, and even after that time to exercise considerable power over the property. In this case, it is possible that no one may be able to sell the land for 50 or 100 years. But let us suppose that C., the infant, has attained the age of 65 years, and that he has a son who is 20 years of age; under such a state of things Lord D——'s estate would be still bound by his deed or will, and could not be sold, even by C. and his son together, while his son was under age. What generally then happens is this,—The father, C., says to his son, "Now, I will make you an immediate allowance of so many hundreds or thousands a year for your life, if you will join me when you are 21 years of age in making another deed like Lord D——'s, and tying up the estate again as he did." C.'s son, fearing that if he does not assent he will only get a very small annual allowance from his father C., and being tempted by the prospect of a handsome immediate income, and perhaps himself understanding how important it is to prevent the estate from dividing, generally assents, and then, as soon as C.'s son is of age, another deed is made by father and son, tying up the property again, making it impossible to sell any portion of it, and providing for its future management for another 60, 70, or 100 years.

By such a process as is here shortly and popularly described, the majority of the great estates of Great Britain and Ireland are kept out of the market, and tied up by deed or will, from one long period of time to another, and for successive generations, the new fetter upon the power of sale being generally added just before the time when the land would become saleable or liable to be seized in satisfaction of debts.

Mr. Cliffe Leslie says very truly of these arrangements between father and son: "It is commonly supposed that

the son acts with his eyes open, and with a special eye to the contingencies of the future and of family life. But what are the real facts of the case? Before the future owner of the land has come into possession; before he has any experience of his property, or what is best to do, or what he can do in regard to it; before the exigencies of the future or his own real position are known to him; before the character, number, and wants of his children are learned, or the claims of parental affection or duty can make themselves felt, and while still very much at the mercy of a predecessor desirous of posthumous greatness and power, he enters into an irrevocable disposition, by which he parts with the rights of a proprietor over his future property for ever, and settles its devolution, burdened with charges, upon an unborn heir.”<sup>1</sup>

It is quite right to say “burdened with charges,” because when the father and son make these deeds together, it is usual to provide in the deed for a settlement of money out of the rents on the son’s future wife, and for other settlements upon any younger sons and upon any daughters the son may have.

I hardly need say, what must be so well known, that estates are often so burdened with charges for wives and children and relations and retainers, that many a landowner, the extent of whose land makes his acquaintance believe him to be very rich and able to keep up a great style and a great hospitality, is in reality a poor man, who cannot find money for the proper maintenance of his estate or performance of his duties.

As these deeds and wills are purposely made to bind the estate for many, many years after the death of the landowner who makes them, it becomes necessary to insert great numbers of directions to the trustees or to the successive lifeowners, as to what they may do under contingencies which may possibly occur in the long series of years. These directions are called “Powers.” Thus

<sup>1</sup> Land Systems of Ireland, England, and the Continent, p. 199.

“Powers” are inserted to enable the trustees or the successive lifeowners to grant building leases, or mining leases ; to cut timber under certain circumstances ; to carry out specified improvements ; to increase the estate by the purchase of more land ; to raise money for future wives ; to charge the estate for possible future children ; to raise marriage portions for daughters ; to raise money to buy commissions, or for the education or advancement of children ; to mortgage for many purposes ; to raise money for charitable purposes, &c., &c., &c. The condition of the titles of many of these estates becomes in this way complicated in the most extraordinary way, until even the ablest lawyer finds it difficult, and often quite impossible, to ascertain the exact state of the legal ownership of such an estate.

Vast numbers of these estates are, owing to these deeds and wills, burdened with charges for wives and widows, charges for sons and daughters, marriage portions, mortgages, covenants to other owners, building leases, mining leases, farming leases (each containing scores of provisions), rent charges to various persons, payments of insurance policies, payments of annuities, equitable mortgages, equitable claims, &c., &c.

I need not say that in vast numbers of these cases the actual possessor of one of these estates has not the faintest idea of what his own legal position is. He is told by his family lawyer and by his agent that, under the circumstances, he has only so many thousands a year to receive. Beyond that, the state of his title is an insoluble mystery.

But I am far from having given any complete idea of the powers which our law confers upon the landowner.

It not only permits him to leave the surface of his land to one set of persons, so tied up that it cannot be sold, but it allows him to leave the minerals under the surface to another set of persons, and the timber on the estate to a third. So he may give the legal ownership and management of the land to one set of persons, without any right to use for

themselves any portion of the rents, and he may give the rents to another set. So, he may give the legal ownership of the estate to one set of persons, and give them a right to pay the rents to any person or persons they may select. So, he may direct that the land shall go to one set of persons after his death, and that, if some indicated event happens, it shall go away to another set of persons. So, if he finds that his son has got into the hands of the money-lenders, he may, if the land is not already settled by one of these deeds or wills, settle the land upon that son's child, so as to enable the child of the unworthy son to come into the ownership freed from every embarrassment. All these and hundreds of other strange powers are given to the owner of land by our law, although such privileges and powers would not be endured by the law of any other civilised country.

2. The evils which are caused by these deeds and wills are still further aggravated by the law of "primogeniture." By this law, if a landowner dies without having made one of these deeds or wills, and free from debt, the law, seeking under all circumstances to prevent the great estate from being lessened or divided, instead of giving each of the children a fair and reasonable portion of his dead father's or relation's property, gives it undivided, uncharged, and undiminished, to the person whom the law defines under the circumstances of the family to be the "heir" of the deceased. If such "heir" happens, according to the law, to be several females, then the estate goes undivided to those females. In the case of the owner of money dying without making a will, the law acts equitably and without being influenced by the desire to promote the creation of great estates, and divides the money in defined shares among the nearest relations, whether they be male or female. But in the case of land all such considerations are set aside and made subservient to the one paramount idea of supporting and keeping together the great estates.

3. As if to make confusion worse confounded, the law

permits the landowner to bind his land, in various cases, by leases for terms of years extending over periods varying from 21 to 999 years.

All this has come about in this way. When one of the deeds or wills which I have tried to describe, has been made, no person who becomes owner of the estate has any interest in the land beyond the term of his own life. Therefore, unless he were specially empowered in some way or other, he could not let any portion of his land beyond the term of his own life, and as the term of his life might terminate any day or hour, he could not grant a lease upon or under which any one could act or expend money with any security whatever. It became necessary, therefore, either to insert powers of leasing for long terms in these deeds or wills, or to give the courts powers to authorise such leases for special purposes, such as farming, building, mining, repairing, &c. An Act of Parliament was accordingly passed, giving the Court of Chancery authority to allow owners under these deeds or wills to make these leases for these long terms. This really increases the powers of the landowners to tie up their land, and to keep the ultimate ownership in their own families, while they get capitalists to develop their estates and work the mines, quarries, &c., upon them, to do which the landowner himself has generally neither the capital, nor the energy, nor the intelligence, nor the business qualities which are necessary. But all this is only a palliative for a great evil. The man of capital under one of these leases has not the full control over the land. His hands are more or less tied by the many provisions of the lease, while he is often interfered with in his enterprise in a hundred ways by the provisions of the lease and by the interests and caprices of the landowner. Besides all this, it is unnecessary for me to explain how these long leases, entered into, it may be, more than a hundred years ago, complicate the state of the title to the estate, and increase the difficulties and costs of investigating its title and otherwise dealing with it.



I have now endeavoured, as plainly as I could, to explain how the law enables the landowner, by means of these deeds, wills, and leases, to tie up his estate for long periods of time, often extending by a succession of these deeds over many generations.

Do not let it be supposed, however, that I would deprive a landowner of the power of making a will and of leaving his land to any child, or children, or person that he chose. I would leave him such a power. I believe, however, that it would be better for the land, for his family, and for the country, that the landowner should have no power whatever of rendering his land unsaleable, or of withdrawing it from the market, or of regulating its management in any way after his own death. The interests of an infant to whom he left any land might be satisfactorily guarded during his infancy by giving the necessary powers either to a guardian appointed by the will, or to one of the courts.

Until the powers of the landowner are thus limited, there is no hope of seeing anything approaching "free trade in land," or any reduction in the sizes of the great estates, or any creation of a class of yeomen proprietors.

## LETTER IV.

### *EVIL CONSEQUENCES OF THE EXISTING LAWS.*

*February 7, 1878.*

IN my first letter I tried to show the condition of things which the present Land Laws have produced ; in No. II. I attempted to dispose of certain common fallacies which beset the question of the Land Laws ; and in No. III. I endeavoured to explain the laws which have brought about the condition of things described in No. I.

In this and the following letter I propose to show what are some of the evil consequences of these laws as they now exist.

But before I do so, I must beg to be permitted to notice two or three suggestions and queries which the letters already published have evoked.

One gentleman, an eminent and well-known member of Parliament, inquires if I would suggest the doing away with marriage settlements of land ? I answer, that inasmuch as it is by, and in, the marriage settlements that a great part, if not the greatest part, of the land of Great Britain and Ireland is tied up for many years, and so rendered incapable of being sold, or seized, or divided, however expedient it may be to do so ; and inasmuch as without doing away with marriage settlements of land you cannot possibly have anything like free trade in land ; and inasmuch as such marriage settlements of land have been done away with in all countries where free trade in land has been introduced, I would certainly do away with marriage settlements of

land, as I would with all other deeds or wills which render land incapable of being sold. I am quite certain that no adequate reform can ever possibly be, or that any has ever in any country been, accomplished without doing away with such settlements.

Then I am told that in a crowded rich country like this, it is idle to dream of land ever selling in small estates to any great extent. I answer, let us get rid of the causes which, as I showed in No. I., have put 17,498,200 acres, or more than one-half of England and Wales, into the hands of only 4500 persons, which have given half of the whole county of Northumberland to only 26 persons, which have given 1,358,548 acres to one person, and which have given 4,440,467 acres of land to only twelve persons ; and, when we have done this, we shall better see than at present what number of the citizens of the United Kingdom would obtain shares in the land. It is, at any rate, somewhat premature at present, under the existing most extraordinary circumstances, to talk of the large population and of the "limited quantity" of land ; at any rate, without being so ridiculous as to expect every citizen to be a landowner, one is not a dreamer in supposing that a vast number of citizens might in this country, as abroad, become landowners if these immense estates were divided.

Then a Bishop of the Church of England has objected to me that personal property can be tied up as long as land, and with as mischievous results. I answer, first, that I do not think it is wise or good that the law should allow personal property to be tied up, for so great a number of years as at present, after the testator's death, and that I would alter that law ; but, secondly, I say that many of the evil consequences which result from tying up land by these deeds and wills, and which I am going to try to explain in this and the following letter, either do not result at all, or at any rate, do not result to nearly the same extent from tying up personal property ; and thirdly, I say that personal property cannot be tied up in foreign countries to anything

## 44 *Evil Consequences of the Existing Laws.*

like the same extent to which it can be tied up in Great Britain and Ireland.

Now, let us consider SOME OF THE CONSEQUENCES OF THESE DEEDS AND WILLS WHICH BIND AN ESTATE FOR SO MANY YEARS :—

1. It is unquestionable, as I have already said, that they prevent many estates being sold which would otherwise come into the market. I gave one instance of this in letter No. 2, in the case of Lord A——'s estate, of which I myself was trustee. That estate would undoubtedly have been sold at least 40 years ago, either in one or more lots, if it had not been for the deed which was made upon Lord A——'s marriage. I myself, within my own limited sphere of observation, know several other estates which would undoubtedly have been sold, if it had not been for similar deeds or wills. Indeed, there can be no doubt whatever that there are many estates in all parts of the country which are only kept out of the auction room, by similar deeds and wills. They are overburdened with charges and mortgages. Everybody concerned would be a gainer by a sale. The land would pass from impoverished owners to men who would buy because they had the desire and the means to make good use of what they bought. Besides this, in many, many cases, where the owner was on the turf, or gambled as Lord A—— did, or was a mere spendthrift, or reckless manager, the land would be sold. And the greater the number of estates that thus came to the hammer, the less inflated would the price of land become, and the more necessary, in order to realise the best price, would it become to sell an estate in single farms, rather than in one lot. This is abundantly proved by the course of sales under the Encumbered Estates and Church Acts of Ireland, where, instead of the properties sold going solely to great owners or great capitalists, more than 4000 small farms or plots have been sold to small farmers or small capitalists. If any fair number of great estates in England and Scotland were to come into the market as in Ireland, similar results would

follow, and, as in Ireland, men of business, shopkeepers, small farmers, and small village tradesmen would buy. Similar results have followed similar causes in all foreign countries where the feudal laws have been done away with.

The London "Times" of the 29th December 1877, published a most remarkable piece of evidence of the truth of what I have just written, so remarkable that I am sure your readers will thank me for citing it *in extenso*, especially as Mr. Caird and other eminent men are eagerly asserting just now that, if the great estates came into the market and were divided, no people but rich capitalists would buy. Your readers will bear in mind that this extract is taken from a paper which has always shown itself most hostile to "free trade in land."

"Our Dublin correspondent writes under date December 28th :—

"Mr. Shaw Lefevre, M.P., has pursued his inquiries as to the operation of the clauses of the Church and Land Acts, which enable tenants to buy their holdings, beyond the committee room of the House of Commons to the lands themselves, and has communicated the result of his observation to the 'Journal of the Statistical Society.' In the forthcoming number a paper will appear giving an account of visits paid to two glebes in the neighbourhood of Newry. One of these has been sold to the tenants, and the other is only now about to be offered for sale, some technical difficulties having caused delay. The lands which were sold consisted of 250 statute acres, on which there were 21 small farms, let at an average rent of £1, 4s. per acre. All the tenants purchased these farms at about 24 years' purchase of the rental. The district is purely agricultural, and the land is light and undulating. He states the results of his inquiries in nine cases. The first bought 20 acres for £516, the whole of which he paid down. He had been an engineer in the merchant service for some years, then inherited a small farm of 8 acres, and afterwards bought the tenant's interest in an adjoining one of 12 acres, for which he paid

£350, or 30 times the rent. Since he bought the fee, he has built a range of superior farm buildings at a cost of £500, tiled the floor of the house, put up an excellent kitchen range, and drained and reclaimed some of the land. His testimony as to the other tenants is that they felt satisfaction in having become owners, but those who had to borrow the balance of the purchase money had a hard struggle. They got a loan of money at 5 per cent., and were paying it off by degrees. The next farm consisted of only  $2\frac{1}{2}$  acres, held at a rent of £2, 15s., which was bought for £73, of which £39 had been paid down. In this case the money had to be borrowed from different persons, one of whom got £1 for a loan of £10 for 10 months, and the buyer's sister 10s. for the loan of £11 for a year. He is a labourer, and his wife is a laundress. They are glad to have the land and expect that it will be free before they die. They never could save before, they say. The next tenant bought a farm of  $5\frac{1}{2}$  acres for £164. He is 92 years of age, has nine sons and two daughters. Seven of the sons are at sea, and one of them gave the purchase money and a further sum to erect an additional farm building. The next farm, containing 17 acres, which was held at a rent of £27, was bought by the tenant for £648, of which he paid down £226. The money had been saved at sea. Since the purchase he paid £87 for building material, and converted the thatched cottage into a two-storeyed slated house. He has seven children, too small to be any help, and lives altogether on the labour of the farm. The next tenant, an able seaman, had a farm of 10 acres, for which he gave £273, paying down £73, which he had borrowed from friends. His reason for buying was lest he should be turned out of the farm. No improvement has been made, but he hopes to pay off the debt. The next tenant was a widow, who had bought  $9\frac{1}{2}$  acres for £314; she paid down £79, of which £75 had been borrowed at 6 per cent., and all except £15 had been repaid. Last year she had a good bit of flax, which enabled her to pay off £10. She has

two daughters and a boy 15 years old, and the whole family work on the farm and have no other means of support. She bought the land lest she should be 'thrown out' and have to 'go lie behind a hedge.' The house is thatched, clean, neat, and comfortable. The next farm contained 51 acres, which was bought for £1583, which the tenant paid in full. He handed it over to his son to work, and lives himself on an adjoining property. The eighth tenant who was visited bought 15 acres for £422, and paid down £106, leaving the remainder on mortgage. He died soon and left the farm to his widow in trust for his son, a lad of 15, who was at sea. The father, who was a Scotchman, had sold the tenant-right of a farm in Fermanagh for £600, and preferred to buy the small farm to renting a greater one. The house had been greatly improved. The last case was that of a farm of 18 acres, bought for £508, of which £168 had been paid down. The purchaser died, leaving the lands to his widow for life, and then to his youngest son. She is 'laying by' for him, and is well pleased with the purchase of the farm. Mr. Shaw Lefevre admits that it might be dangerous to draw conclusions from these limited cases, and one property, if they did not confirm the evidence laid before the committee. In every case great benefit had resulted from the purchase. It had been 'a spur to industry and thrift,' and the increased industry and activity required to pay off the loan will, he thinks, establish a habit for the future. He remarks that many of the families were partly supported by contributions from members who were at sea, and that he has always contended that small landowners are not necessarily to be expected to derive the whole of their subsistence from the land. He feels confident that many of the older people he saw would in England be in the workhouse. Under the English system the whole of the nine small farms which he visited, containing 150 acres, would be thrown into one, and, instead of nine families, there would be one farmer's family superior in social position, but not superior in intelligence, to those

whom he saw ; and four or five families of labouring men, with a quarter of an acre for a garden, without any hope of bettering their condition, and with no prospect for their old age but the poorhouse. He visited a second glebe, which was still to be sold."

As I have said before, it is really ridiculous to assert that these deeds and wills do not keep great numbers of estates out of the market ; but if they do not, if their object is not specially to effect this, of what good are they ? Is it to be supposed that the landowners tie their own hands, limit their powers over their own estates, and subject themselves and their successors to all the many inconveniences which necessarily attend the limitation of their powers over their estates for no prospect or hope of advantage ? Such a supposition is absurd. These deeds and wills are notoriously framed for the express purpose of preventing the great estates dividing or coming into the market. They do most successfully accomplish the end for which they are so framed. They very greatly diminish the number of sales of land that would otherwise take place. They thus raise the market price of land very considerably, and by this means make it more and more difficult for small capitalists or tradesmen to purchase.

2. But let us look at another consequence of these deeds and wills.

The son constantly knows that, do what his father will, he (the son) is sure, under one of these deeds or wills, to succeed to the estate. The son is, therefore, to a very great extent rendered independent of his father. The parental control and authority are lessened just in those very cases in which they are most needed, and in which they ought to be increased rather than diminished.

As soon as the young man is 21 he finds himself surrounded by money-lenders, who make it their special business to devote themselves to the wants of such heirs, and who are always on the look-out for them. The father has no power to save the son from these harpies. He is



deprived of a great check upon his son. If the father threatens to cut off the son's allowance, unless his misconduct is discontinued, the son can, and often does in such a case, laugh in his father's face. The money-lenders are only too happy to relieve present wants, and to lead on to further loans. And in this way the heir often comes into the possession of his estate with such a weight of debts and liabilities around his neck, that during the remainder of his life there is no owner who has either capital or virtue enough to manage the estate decently. In such a case, would it not be an unalloyed good to all concerned if he could sell the land? Who is there who, among his acquaintances or neighbours, cannot recall many instances of this kind? If it were not for these deeds and wills, in all these cases a part or the whole of such an estate would come into the market.

3. These laws induce unprincipled or careless land-owners to be tenfold more careless than they otherwise would be about the education of the child who is to succeed to the ownership of the estate. They know that however badly the child may be brought up, however extravagant, or reckless, or dissipated he may turn out, he cannot, no matter what may be his extravagance or folly, lose or lessen the estates or the social status of the family, but that the land will go undiminished to the next owner mentioned in the deed or will.

Not only does the knowledge that the estate must come to him, however he should behave, act most prejudicially on the child's character, but the knowledge that the child cannot get rid of it increases this evil, by rendering the father more callous as to the proper training of his child than he would be, if he knew that the future of the family estates and of the family status depended entirely on the character of the future owner. Many and many an heir is utterly demoralised by these causes. And then the country suffers in a double sense, for not only are the estate and the tenants neglected, but a man is put into the influential

position of a landowner, whose early education and habits have rendered him totally unfit to be entrusted with any influence whatever, and who never would have enjoyed any such influence if it had not been for these Land Laws which I have attempted to describe. These laws in this way often set up in influential positions, as examples to society, men of luxurious and idle habits, depraved tastes, and corrupted morals.

4. These laws keep in influential positions a large body of men, however unworthy of these positions they may be—men who have always known that they need not work, who have in consequence often grown up in ignorance and frivolity, who are so rich and in such influential positions as to enable them to exercise great influence on public affairs, and to make their own conduct and manners the standard for the thoughtless and weak-minded, who are supported and strengthened in their position by the state of the county franchise and the county magistracy, and who more than any other class foster habits of idleness, self-indulgence, and extravagance.

5. But I will try to explain another serious evil, which constantly results from tying up and charging these estates in the way I have described. In the majority of cases the owner does not come into possession of the land until he is past middle age. He is then generally married, and he has probably a family of children. He knows that he has no interest in the land beyond his own life. Sometimes he has a power of charging the estate to a small extent for younger children. If such a man really cares for the future of his family, look at the position in which he is placed. In nine cases out of ten he receives the property burdened with charges to his mother, his brothers, and sisters. He feels he ought to save something for his own younger children. Now, except in the cases of the larger estates, how can he hope to do this during the remainder of his life, and at the same time to spend money in the improvement and proper maintenance of the estate, its

buildings, farms, &c. His eldest son is to take the whole of the land. Every penny he spends upon the improvement of the estate is so much taken from what he could have saved for the younger children, and so much added to the eldest son's already unjust share. How often, under the pressure of these circumstances, is not the unfortunate owner obliged to neglect either the estate or his children? Of course, the more heavily the estate has been previously charged with debts, the worse does such a case become. It is difficult to conceive a system more certain to repress any efforts for improvement, or to discourage any outlay of capital upon the land. Mr. Caird, C.B., F.R.S., who is strongly opposed to the system of small estates, writing in 1851, in his "Agricultural Survey of England," says: "Much of the land of England—a far greater proportion of it than is generally believed—is in the possession of tenants for life, so heavily burdened with settlement encumbrances that they have not the means of improving the land which they are obliged to hold. It would be a waste of time to dilate on the public and private disadvantages thus occasioned, for they are acknowledged by all who have studied the subject."

The same gentleman, on the 25th September 1877, at the meeting of the Social Science Congress at Aberdeen, in his address on "Economy and Trade," with especial reference to the condition and prospects of British agriculture, said, "The evil that exists in the present land system is, not that we have great proprietors amongst us—for, as a rule, their estates are the most liberally managed, but it is because of the too common existence of the possession of land by persons so heavily encumbered by settlements and debts, that they are incapable of doing justice either to their property or to themselves. For the sake of progress in the fuller development of our agricultural resources, it is desirable that the land in such cases should pass into other hands. And the advantage of enlisting a large body of competitors for it, when exposed for sale, induces the offer-

ing of estates, whenever practicable, in single farms, and thus tends in some degree to its subdivision."

In foreign countries, where the land is not put into such a position by deeds or wills that it cannot be sold—where, in fact, the land can always be sold whenever it is expedient for the owner to sell—an owner, if embarrassed by debts, or mortgages, or claims, would sell the whole or part of the estate, and having paid off all his debts, would either devote himself to some other employment or business, or would cultivate properly the portion of the estate remaining to him after the sale. These evils in Great Britain and Ireland can never be effectually remedied, or even seriously mitigated, as long as landowners are allowed by law to tie up the land by deed or will for long series of years after their own death. It is true that the Legislature has attempted to relieve landowners so circumstanced, but these measures have only been partial and most insufficient palliatives for a widespread evil.

6. This system tends very greatly to retard the progress of agricultural improvement.

Let any one who knows any large number of the landowners, or "the landed gentry," as they are popularly called, ask himself how many of their sons are ever taught scientific agriculture, or the details of estate management. Generally, when they come into possession of their estates, they know as little of either as they know of the details of a Manchester business. They generally understand hunting, shooting, fishing, billiards, athletic sports, perhaps in rare cases something of art. They know the points of a horse. They understand dogs, and all descriptions of game. But how many know anything whatever of scientific farming, of plantations, of orchards, or of scientific gardening? Let any one who knows much of them look round him and ask himself this question. When they come into their estates they are, so far as the details of estate management are concerned, entirely in the hands of their agents or stewards. The very ignorance of such landowners as I

am describing makes them lean against changes and improvements. Their ancestors and predecessors have gone on in a certain way, why should not they? As they cannot estimate the value of reforms, the very name of them is hateful to them. These reforms require study, thought, and mental exertion, to which they have not been trained.

I remember a singular instance of this. One of my intimate friends, a man who had been brought up in hard-working business habits, came some years ago into the possession of a large estate, in a part of the country in which anything like scientific farming was utterly unknown, and in which the ordinary farming was of the lowest possible description. The land in all that part of the country was a heavy clay soil. Drainage was unknown. The farms for miles round were more or less covered with rushes, and with the herbage springing up in soil charged with moisture. My friend sent for a scientific farmer, and said, "What must I do in order to reform this state of things?" Under this gentleman's advice, tileries were erected on the estate, drainage tiles were made, gangs of drainers were engaged, the estate in a few years was drained from end to end. The products of the estate were greatly increased, the herbage improved, the rushes disappeared, rents were raised, and willingly paid. But while this was being done, and until the results had become too plain and too remarkable to be denied, my friend was subjected to sneers, insults, and opposition of all kinds from the neighbouring squires, who seemed to hate the interference with the old ways.

Is it then astonishing that in 1870 a committee of the House of Lords, consisting of four great landowners—the Duke of Richmond, the Marquis of Salisbury, the Earl of Derby, and Lord Egerton of Tatton—reported that of the 20 *million* acres of land in the country requiring drainage, only 3 *millions* had been drained, and that, taking into account also all other necessary improvements, only *one-fifth* of the land had been properly dealt with? Is it, therefore,

surprising that Mr. Mechi, the eminent agriculturist, estimated that the land does not yield one-fifth of its proper production?

However intelligent the agent or steward of these landowners may be, the ignorance and idleness of the latter, joined often to their want of ready funds, and to the heavy charges on their estates, oppose an insurmountable bar to anything like a proper development of the land. And even when the landowner is sufficiently intelligent to promote improvement, he is too often hindered by the state of the charges on his estate, by the knowledge that he will only possess it for his life, and by the necessity of providing for younger children during the short continuance of his possession. All this results from the deeds and wills I have described. Of course, I well know that there are happily many bright exceptions to the description I have endeavoured faithfully to draw—men who deeply feel their great responsibilities; who do all they can to fit themselves for the proper performance of their important duties; who remember that “property has its duties as well as its rights;” and who are the centres of kindness and intelligence in their influential stations. But these are exceptions, as compared to the general character of the class I have described. And whether I have described fairly or unfairly, let each reader look around and consult his own personal experience. These bright exceptions, I contend, exist in spite of, and by no means as a consequence of, our present system of Land Laws.

I must reserve the further consideration of the consequences of these deeds and wills until my next letter.

## LETTER V.

### *EVIL CONSEQUENCES (continued).*

*February 23, 1878.*

IN No. IV. I endeavoured to state, as simply and calmly as I could, some of the consequences of the deeds and wills which bind an estate for so many years. I tried to show that—

1. They prevent the sale of estates which would otherwise come into the market.

2. They lessen due parental control.

3. They induce careless landowners to be tenfold more careless than they otherwise would be, about the education of their children.

4. They maintain in influential positions men unworthy of those positions.

5. They deprive many landowners of the means of properly managing their estates.

6. They tend very greatly to retard the progress of agricultural improvement.

In the present letter I propose to continue the consideration of the consequences of these deeds and wills.

7. The power which our law gives to landowners to direct not only the succession to, but the management of, the land for so great a number of years after their death renders it necessary in preparing these deeds and wills to make them very long and expensive. In them the landowner provides for many circumstances and contingencies which may happen during all the many years during which the deed or will continues in force. For after the deed is

## 56 *Evil Consequences of the Existing Laws.*

once made, or, in the case of a will, after the death of the owner who made it, no alteration or addition to meet new or overlooked contingencies can be made. It is necessary, therefore, in framing these deeds or wills to introduce numerous lengthy and carefully-worded provisions to meet all kinds of possible events which may happen after the maker's death. The obscurity that this sometimes—nay, often—introduces into these deeds or wills is scarcely credible. It is no uncommon thing for them to be laid before two or three of the ablest counsel, and for each of these learned gentlemen to give a different interpretation of their meaning. Nothing then remains to the unfortunate victim of this perplexity but to resort to litigation, and to seek the interpretation of the Courts, and very fortunate may he count himself if he finds the judges themselves agreeing as to the meaning of the words. I have known cases where such litigation has gone on for years and years ; and I knew one such case where, the entire value of the estate having been absorbed in the costs of the litigation, the only struggle which remained was which firm of solicitors was entitled to the estate in repayment of their costs !

8. This system of deeds, wills, long leases, and mortgages, all of which may bind the land for many years after they are made, renders it often very difficult and very expensive for a purchaser, even when he can find a small plot of land for sale, to ascertain what the real state of the title to such property is. It is often affected by so many ancient deeds, wills, mortgages, and leases—these are often scattered in so many hands—it is often so difficult to find out whether all the persons entitled under the various deeds and wills are dead, or whether their title to the property is extinguished, there being no registration office here, as in many foreign countries, where a purchaser can ascertain at a glance from the registration book every deed which affects the land—that the mere inquiry into the title of a small plot of land and the legal expenses attendant thereon, are often quite sufficient to deter a man who is not rich from ventur-



ing to agree to buy a plot of land which he would otherwise have been glad to purchase. And such is the confusion that sometimes exists, that the examination into the title of a small farm of 5 or 6 acres may be quite as difficult and expensive, if not more so, than the examination into the title of an estate of many hundreds. So lately as the month of December, 1877, a poor man who purchased 3 acres of glebe land and £15 per annum of tithe rent-charge, had to pay £117, 9s. 2d. for the mere legal expenses attending the examination of the title and the deed conveying them to him.

Of course, where an estate has been laid out for sale in building plots, and the title has been investigated once for all, and a proper statement of it prepared for the use of all purchasers ; or where an estate has been for generations in one family and has not been encumbered or affected by many deeds or transactions, it may well happen, as I see stated in your columns, that a fortunate purchaser may invest much money in land, and yet have comparatively little to pay to the lawyers. But a man must know little or nothing of the subject, if he supposes this to be the case with respect to the majority of sales in the agricultural districts. There, the legal expenses are often enough to deter a prudent man who wishes to purchase a small plot of land.

9. But, even when all this trouble has been taken, and when all this expense has been incurred, there is in very many cases no absolute certainty that there is no flaw in the purchaser's title, or that no undiscovered charge may be sprung upon him. Such a thing is impossible in many foreign countries, because there, *before any deed or will or mortgage can be rendered binding or valid*, a short account of it must be written out upon the page of the public registration book which relates to the particular piece of land. And if, when a man buys land and gets his deed of purchase entered in the registration book, a former deed has been made, but not entered on the page of the registry book, it will not affect the subsequent purchase in any way, or be

## 58 *Evil Consequences of the Existing Laws.*

of any validity as against such purchase. But it is not so here. If the vendor of land is a rogue, there is often no perfect security for the purchaser that he has discovered all the prior charges upon the property.

As an instance, I may mention what happened to a friend of mine. He purchased a small estate in the south of England. Before purchasing, he made his solicitor institute a most minute search into the state of the title. He was informed that he might safely complete the purchase, and that there was no charge upon the property, except those of which he was aware. The purchase money was accordingly paid down. The former proprietor executed the deed of conveyance, and my friend thought he was safe. The former proprietor was insolvent and left the country. A short time afterwards, my friend was informed that the estate he had purchased was mortgaged in £1,200 to another person, who produced the mortgage deed, and claimed the money due to him from the estate, and my friend was obliged to pay. In many foreign countries the mere legal formalities attendant on the transfer of a plot of land are very simple, certain, and inexpensive. It is quite as simple as the transfer of a ship, or as the effecting of an insurance on a house, is with us. There is no need for a long, costly, and uncertain search into the title. The buyer has only to go and look at a page of the registry book to find out everything about the title. There is no need for a long, unintelligible, and costly deed of conveyance, because such a deed would be utterly useless, neither the seller nor the buyer being able to tie up the estate for future years, and therefore having no need, and no power, to swell the deed with provisions for all sorts of possible future contingencies. A short, simple document, costing a few shillings, settles the matter between buyer and seller. A copy of it is entered in the registration book, and the whole matter is completed, and, what is equally important, completed with perfect security for the rights of the purchaser.

The benefits actually realised in South Australia from

such a system of registration are thus described by Sir Robert Torrens, the author of the measure, in a work published by him, and entitled "The South Australian System of Registration of Title :"—

"1. Titles being indefeasible, proprietors may invest capital in land, secure against risk of deprivation and the no less harassing contingencies of a Chancery suit; mortgagees, having also no further occasion to look to validity of title, may confine their attention to the adequacy of the security. 2. A saving amounting on the average to 90 per cent., or 18s. in the pound sterling, has been effected in the cost of transfers and other dealings, irrespective of the contingent liability to further expenses resulting from suits at law and in equity, the grounds of which are cut off by the alteration of tenure. 3. The procedure is so simple as to be readily comprehended, so that men of ordinary education may transact their own business. 4. Dealings in land are transacted *as expeditiously as dealings in merchandise or cattle, fifteen minutes* being the average time occupied in filling up the form and completing a transaction."

10. But let us proceed with the enumeration of the consequences of these Land Laws. I have shown how they cause the land more and more to accumulate in fewer and fewer hands and in ever-increasing estates. I have shown that even advocates of the present system, like Mr. Froude, admit this. I have shown how, for many years, they have been tending gradually but steadily to absorb all the small freehold estates of the yeomen into the great properties, and that even Lord Derby is compelled to admit this. This has gone on until the old race of small yeomen freeholders, who only a few years ago were to be found all over our islands, has almost entirely disappeared. By doing this, these laws have deprived the small farmers, the shopkeepers, and all our vast number of peasants, of almost every chance of acquiring land, even in the smallest portions, except small building plots in the immediate neighbourhood of towns. These laws also promote more and more a system of large

leasehold farms, and lessen year by year the number of the smaller leasehold farms. They thus year by year separate the large peasant class more and more from the land and from the next step in the social scale. They render it more and more hopeless for a peasant either to acquire land, or even to rent a small farm. They thus deprive him of all strong motives to exercise exertion, self-denial, or economy. They make his future hopeless, and condemn him to poverty. Take the case of a young Norfolk peasant. The village school is often only one conducted by a poor uncertificated woman teacher. He leaves this school at 9 or 10 years of age to add to the small earnings of the family. He lives in the small crowded cottage of his parents. At 21 years of age, he may earn 12 or 14 shillings a week. To hire a cottage for himself is most difficult, for the number of cottages is kept as small as possible by the landowners, so as to avoid any surplus poor population settling on their estates, or near their mansions. Has such a peasant, by any number of years' prudence, saving, or self-denial, any chance of buying or building a cottage, or of buying a small plot of garden ground, or the smallest farm? The very supposition is ridiculous, from the utter impossibility of his doing anything of the sort. Can he obtain a cottage and garden on lease? Certainly not. Must he, then, remain a poor peasant all his days? He must, unless he can persuade some charitable person to enable him to emigrate, and unless he can tear himself away from his relations and all his old associations for ever. What has he to look forward to in his old age? Nothing but the workhouse, if he is rendered too ill or feeble to work and his children cannot support him. Can this be considered a healthy or sound condition to which to have reduced the numerous peasantry of the three kingdoms? And all for what? Solely to support in enormous wealth and luxury a very small class of landowners.

It is difficult to make English readers, who have not travelled, understand how strangely different is the condition

of the small farmers and peasants in the greater part of Western Europe. Throughout the Republics of Switzerland and France, the great empire of Germany, and the kingdoms of Italy, Holland, and Belgium, the laws restricting the sale of land having been abolished at various periods since the great French Revolution of 1789, the land has been subdivided into estates of all sizes—from the garden of a quarter of an acre, or the small farm of 3 or 5 acres, to the larger estate of thousands of acres. The consequence is that a small farmer, or a small shopkeeper, or a peasant, if prudent, economical, and industrious, may always look forward to the time when he may buy his own freehold, and start as an independent owner. Millions of such small owners are to be found throughout the length and breadth of these countries. And how different, how strangely different, is their condition to that of our own dependent and hopeless peasantry. I remember the case of an educated, respectable German peasant. I spent several autumns in the village where he lived. When I first went there he was engaged to be married, and he was hard at work—at peasant's work—during the day, and at some handiwork in the evenings, earning and saving with the intention of buying a piece of land and building his own cottage house upon it, and he was delaying his marriage until he and his betrothed could accomplish this. At my last visit to his village, some four or five years since, he told us with pride that he had bought his land, built his house, and married, and that he was doing well. Such a history in England would be impossible.

11. But many and great as are the evils which this system of Land Laws causes in Great Britain, these evils are very seriously aggravated in Ireland by the additional curse of absenteeism. I showed in No. I. that about one-half of the whole of Ireland—*i.e.*, one-half of 20,159,678 acres—was owned by only 744 persons, and that two-thirds of this vast extent of land was owned by only 1,942 persons. But, in addition to the fact that the greatest part of

Ireland is thus monopolised by so small a number of persons—an evil, as I think, of vast magnitude—a great part of these Irish landowners do not live in Ireland, but in London, or on English estates, or in foreign capitals. Their rents are collected by agents in Ireland, and are sent to England or abroad, to be spent among strangers and to enrich them, instead of being spent among their own tenants, farmers, schools, charities, and tradespeople to enrich them. This absenteeism deprives the Irish people of the only compensation which renders the system of Land Laws which produces these great estates excusable—viz., the presence and the active good influence of a respectable resident landlord. Such a man ought to be, and is supposed in theory to be, the friend and comforter of his poor tenantry, the person to whom they can apply in need and in difficulty, their adviser and protector, the encourager of all the local charities and schools, the kindly entertainer of his neighbourhood, the magistrate who is ready to advise in local difficulties, the general centre of the district. If he is not this, what is he but the man who takes the larger share of products of the earth, raised by the labour of others—a burden, in fact, which the cultivators of the soil must support without return? But worse than all this, the absence of these men throws the farmers and labourers of Ireland into the hands of agents, who manage for the absent owners. How is it possible that these agents can feel the same interest in the tenantry, with whom their principal duty is that of extracting rents and of rigorously exacting the performance of the stipulated duties? The natural tendency of the agent's work is to render him hard and exacting. The temptation of his work is to be much more than this, for his own ends and gain; and what remedy, what effective remedy, has the poor tenant, with the landlord at a great distance, and the agent with great powers close at home?

Does an agent support the schools and religious ministers? Does an agent encourage and support the

local charities? Does an agent perform the hospitalities of the hall? Does an agent sit on the bench and watch over the interests of the neighbourhood? Is an agent free to intervene without a slow and often forgotten application to the owner in sudden cases of distress? Does an agent interest himself in the thousand-and-one works of charity and good which a good landlord looks on as his simple duties? Is it not perfectly well known, that in an agent-ridden country like Ireland, with the owners separated by the sea, the contrary of all this is generally the case? All this has been most keenly felt for many generations in Ireland. O'Connell raised his powerful voice against it. The leaders of the Irish people cry out against it now, earnestly and vehemently. But there is not the slightest possibility of applying a remedy to this evil, except by repealing the laws, which have produced it as one of the many bad consequences of our Land Laws.

Mr. Drummond, the Under-Secretary of Ireland, wrote to the Irish magistracy those now celebrated words, "Property has its duties as well as its rights;" but it seems to me that the Irish absentee landowners forget their duties almost entirely, while they are only too keen in the enforcement of their rights; and yet we English are surprised and indignant that, when we and our laws have produced this state of things in Ireland—viz., an absentee class of landowners in a country two-thirds of whose 20,159,678 acres are held by only 1,942 persons in this year 1878—the Irish people should be discontented and some of them disaffected.

## LETTER VI.

### *EVIL CONSEQUENCES (continued).*

IN No. IV. and in No. V. I endeavoured, without mentioning names, or making any attack on individuals for what I consider the faults of a system of laws, to point out, as shortly and clearly as I could, some of the direct consequences of our English Land Laws, which permit an owner to bind an estate by deed or will for so many years after the owner's death.

I endeavoured to show that these laws :—

1. Prevent estates being sold which would otherwise undoubtedly come into the market.
2. Lessen due parental control.
3. Induce careless landowners to be tenfold more careless than they otherwise would be, about the education of their children.
4. Maintain in influential positions men unworthy of those positions.
5. Deprive many landowners of the means of properly managing their estates.
6. Tend very greatly to retard the progress of agricultural improvement.
7. Render it necessary to make the deeds and wills very long and expensive.
8. Render it often very difficult and expensive for a purchaser to ascertain the state of the title of a plot of land he may wish to purchase.
9. Often leave the actual title to a plot of land uncertain,



spite of all the labour and expense bestowed on its careful investigation.

10. Deprive the small farmers, the shopkeepers, and the peasants of almost all chance of buying land.

11. Aggravate all the above-mentioned evils in Ireland by the curses of absenteeism and agent management.

In this letter I propose to show what are some of the less direct, but the no less certain, consequences of our English system of Land Laws.

Few persons, who have read or thought at all, will need to be told by me that for many generations the landowners have been the most powerful class in the State, or that they have almost monopolised the power of one House of our Legislature, whilst they have been, when united, the predominant and far the most powerful section of the other, or Lower House. It is not, therefore, matter for surprise, knowing what we do of human nature, that they should have used, or that they should still use, their opportunities in the promotion of the power and interests of their own class, however patriotic and honourable their conduct may have been where their own class interests were not particularly concerned, or not more concerned than the general interests of the community.

I propose, therefore, to explain, as simply as I can, some of the advantages and privileges which the class of the landowners have secured for themselves, merely remarking that, if the Land Laws I have described had not bound them together by a strong sense of common interest, and supported them in a position of great wealth and power, they never would have been able to retain so long the exclusive privileges which, in days of greater ignorance and of less general wealth, they created for themselves.

## 12. THE LAW OF DISTRESS.

If a Manchester merchant were to hire from a jobmaster a carriage and pair for two years, at £400 a year, and at

the end of the first year were to inform the jobmaster that he was unable or unwilling to pay for the first year's hire, the only remedy which the jobmaster would have, in order to obtain his £400, would be to commence an action to recover his £400, to go to trial, to recover a verdict and judgment, and then to instruct the sheriff to seize so much of the merchant's goods, &c., as would be sufficient to satisfy the claim for £400 and the costs of the action and other proceedings. If, while these proceedings were pending, the merchant should become insolvent, the jobmaster would be only able to come in with the other creditors, and to obtain as much for each pound that was owing to him as the other creditors obtained. Surely all this is fair and equitable. The merchant might be able to show at the trial that he ought not to be called upon to pay, on account of the fraud or misconduct of the jobmaster, or by reason of the terms of the original agreement, such as, for instance, that the jobmaster was not to be paid, if the carriage or horses did not answer certain stipulated requirements, &c., &c.

But the powerful class of landowners long ago secured themselves against the delays and expenses and uncertainties of law, and so arranged the law that they should have a short, easy, and summary remedy in their own hands for obtaining their rents, freed from all necessity of applying to lawyers.

If a farmer take a farm for, say, two years, at a rent of £400 a year, without a word being said about "distress" or anything of the sort; and if, like the merchant, he is unable at the end of his first year to pay his rent of £400, the landlord is enabled by the law, by means of his agents, and without the trouble, or expense, or delay of an action, or trial, or judgment, or execution, to enter upon the farm, and to seize so much of the cattle, stock, furniture, &c., as will, when sold by public auction, suffice to satisfy his claim for rent and for all the expenses of entry, seizure, taking care of the property seized, the sale, &c. Nay, more, if the farmer proves to have many more creditors, and to owe

much more than £400 to each of several other creditors for the very cattle, stock, and furniture so seized, the landlord may disregard these unfortunate creditors, and, even if the farmer has been made insolvent and his affairs put into the Bankruptcy Court, so that his property may be divided equally and equitably amongst all the creditors, as in the case of the merchant, the landlord may still seize so much of the farmer's stock, cattle, furniture, &c., as will satisfy his £400 and all the costs he, the landlord, has been put to.

If this is a fair law for the landowners, why should it not be also fair for the jobmaster and for all men of business? Why should not the Manchester merchant be able to distrain on the calico printer for the value of the cloth he has sent to be printed, or upon his customer for the goods he has purchased from him; why should not the shopkeeper be allowed to distrain upon the customer who has carried off a large amount of goods on credit, and who does not pay when that credit has expired?

Why should the landowner, in short, be allowed to take the law into his own hands, and to be favoured more than the rest of the farmer's creditors, when all other creditors except landlords are compelled to resort to expensive legal proceedings to make out their claim, and, in case of the insolvency of the debtor, only to take their proportion of what remains to be divided? The only reasonable answer is that the landowning class have been rendered by the Land Laws so strong and so united that they have been able to obtain these laws in their own favour, and to defend and keep them after they were once obtained.

This law of "distress" was originally derived from the ancient feudal law; and after the power of the Church and Crown had been greatly diminished, and after Parliament became, as it did after the expulsion of James II., mainly the representative of the landowning class, this law was rendered more stringent against the tenants by many Acts of Parliament.

## 13. THE LAW OF FIXTURES.

Another extraordinary landowner's law, which was established in feudal times, and which the landowners have been strong enough to retain down to the present day, though not in all its original severity and unfairness, is the law relating to what are called in legal phraseology "fixtures."

In the feudal times it was settled that the law should be that whatever a tenant of land (whether tenant only from year to year or tenant under a lease) annexed to the land during his tenancy should belong from that moment to the landowner, and not to the tenant, who had paid for it and annexed it. All the tenant's legal right to such annexed thing, however costly it was, ceased from the moment it was annexed.

But might made right in the feudal days, when these laws were first enforced, and might makes these same laws, though somewhat modified, right now. The trading classes struggled from the earliest time against this landowner's law, and gradually obtained exemptions in favour of "trade fixtures," or those erected for the purpose of trade and business, but the law has always operated, and still operates, most severely against agricultural tenants, though some very insufficient and unsatisfactory modifications, subject to conditions which seem designed to render them nugatory, have recently been granted to them, to satisfy the growing discontent—a discontent which accompanied and was the result of growing intelligence. To show how hardly this law presses upon the tenant, who most probably knows nothing whatever about it when he commences his tenancy, let me give a few instances.

If the tenant erect a conservatory on a brick foundation, he cannot remove it at the end of the tenancy, however short that tenancy, or however much the conservatory may have cost him, but it becomes, as soon as erected, the property of the landowner. So, too, if the tenant erect

greenhouses in his garden, or a veranda to the house, or wind or water mills, or storehouses, they belong to the landowner as soon as erected, and cannot be removed. I give these merely as instances of what seems a most unjust and inexpedient law. And it must be carefully borne in mind that the law is equally stringent, even if the "fixture" can be removed without doing the least injury to the property to which it is affixed, and it is equally stringent, no matter what the cost or value of the "fixture" may have been. It is no answer to say that the tenant, when he took the house or farm, knew the law, and, therefore, knowing the law, chose for some reason to go to the expense. As every lawyer knows, and as the thousands of cases litigated on this subject show, not one man in ten thousand knows anything about this law; it is scarcely ever mentioned in leases, and even where it is, it is only with reference to the "fixtures" already on the premises; and it is certain that few lawyers even, without consulting the great tomes on landlord and tenant law, and on "fixtures," would be able to say offhand whether a particular article were a "fixture" or not, or were subject to this strange power and privilege of the landowner.

It is a law which has existed at least since Edward I.'s reign. It emanated from the power of the great landowning class. It is sustained by the same power now.

Of course, if a valuable "fixture" could not be removed without injuring the premises to which it was attached, no such removal should by law be permitted, until ample compensation had been made to the owner of the premises for all such injury, whether prospective or otherwise. And it must be remembered that, if this law were repealed to-morrow, it would always be open to the landlord, before letting his premises, to make it a term of the agreement that the tenant should put up no fixture and make no alteration in the premises during the tenancy, and that, if he did, he should pay heavy compensation, and that the fixture should belong to the landlord. In such a case, each

party would be fairly and fully warned, instead of a tenant being trapped, as now, by ignorance into a heavy expenditure, all of which goes to the benefit, not of himself, but of the landlord.

#### 14. THE ADMINISTRATION OF THE GAME LAWS.

I hope it will not be supposed that I am about to say a word against all game laws, or against that love of sport which draws away the legislator from his wearing and trying midnight labours, the merchant and man of business from his office and his desk, the man of fashion from the town, the student from his books, and the lawyer from his courts and crowds, and induces them all for a few months or weeks every year to spend the day in pure air and in exhilarating and bracing exercise, and makes them forget for a time the toils, frets, and labours of their lives. I have spent too many happy and healthy days in this way not to appreciate their immense value to our race and nation. It is not of all this I write. Nor do I think that it is unjust that, if a peasant, or any other man, enters on my land and shoots or steals my pheasants or other game, he should suffer for his act. But certainly, in these as in all other cases, one would wish that the offenders against the game laws should be tried as fairly, and punished as considerately, as offenders against any other branch of English law.

No judge on our English bench would dream for a moment of trying any case in which he was even remotely interested. Even if only a small shareholder in a railway, he objects to sit and try a cause to which that railway is a party. But the landowners have been strong enough to secure for themselves the right of trying and adjudicating upon many game-law offences, in which they all, as a body, are deeply interested. It is true that Squire A. would not try a poacher who had committed an offence upon his own estate, but he sits and tries a poacher who has committed an offence upon the adjoining estate of Squire B., and so

they help one another. I was, a few years ago, at a dinner-table in London, opposite one of the kindest and most genial of men. He had for many years presided as chairman at the quarter sessions of a great game-preserving county. He told us, in his hearty way, that it had often happened to him, that men charged with various offences had been tried before him at sessions where the case was so weak, that he had turned to his brother justices and said, "Oh, there is really no sufficient evidence against this man," and that he had been answered, "Oh, you must not let him off, he's a damned poacher!"

In some poaching offences one landowning justice may sit alone, and, without jury or any check, try game offenders and impose sentences which practically entail the utter ruin of the offender's family and the destruction of his good name for ever. In other cases, two landowning justices must sit together. But what chance of mercy, or of really fair trial, has a known or suspected poacher before such a tribunal? I remember the great and good Sir Thomas Fowell Buxton, over whose land I often shot, once saying to me, "A poacher has no chance of mercy before these tribunals. I have often had to protest against the sentences pronounced by my brother justices for really trivial offences."

And truly, though I do not wish to excuse the offence of poaching, we ought to look at the temptation to which the peasant is exposed. The love of sport, which is as strong in his breast as in the squire's, and the stimulus he receives continually by the muttered complaints of the farmers against the undue quantity of game—these are in league to tempt the poor peasant to dream that there is a vast difference between shooting or snaring game and stealing poultry.

That others, besides himself, also think there is a great difference, is surely shown by the fact that some of the best of landlords and of men, now and then, as I have known, select as a trusted and well-paid gamekeeper, and as the

companion of their pleasant and healthful hours of sport, a man who, up to the time of such selection, has had the well-earned reputation of being the most successful poacher in all the country round.

But there is another view of this game-law administration which I would have your readers calmly consider.

The fact that the landowner is practically made by the law, in many cases, preserver, prosecutor, judge, and punisher, stimulates the rancour of the landowner against the poacher, and hardens his heart. I have told what Sir Thomas Fowell Buxton said; let me narrate what I myself have seen.

Some years ago I was invited to spend a day or two with the steward of a great nobleman, distinguished by his learning, his generosity, his philanthropy, and great statesmanlike qualities. But on his vast estates he was one of the keenest of game preservers.

One afternoon my friend took me up to the hall, to see the young pheasants in their pens. There were hundreds nearly ready to be turned into the preserves. While we were looking at them the head-gamekeeper said to me, "Would you like to go and see the dog we hunt the poachers with?" I hardly realised his question, but we all walked up to a yard surrounded by high walls. In one corner of this yard was chained, by a long heavy chain, fastened to a great block of stone, one of the largest and fiercest-looking dogs I ever saw in any country. When it saw us, though its master was among us, it did nothing but run in a semicircle, straining its chain to the uttermost, uttering a kind of shriek of fury, and foaming from the mouth. I never saw such a sight. I got near to the door of the yard, and kept my hand on the latch, while the gamekeeper said, "Now, sir, if that chain broke, one of you would be a dead man in a minute." I said, "But you don't mean to say you hunt poachers with that horrible beast?" "Oh yes," he said, "we do, but we muzzle him. But even then, if we did not get up quickly, he would



strangle a man he had got down, for he rams his snout into the man's neck, and if his muzzle were not tight, he would get hold of the fellow's skin, and begin tearing it off."

Is comment necessary on such a story? But is such a landowner fit to be a judge in any poaching cases? Surely those who are so intensely keen after sport should not be trusted with the trial, and still less with the punishment of the offenders. I never could understand what difficulty there could be in sending all game-law offences to the admirable and independent County Court judges, except, indeed, the one fact that the class of landowners are strong enough to keep this jurisdiction in their own hands.

#### 15. WANT OF LEASES.

Another singular and most unfortunate consequence of these Land Laws is the unwillingness they naturally create in the minds of nearly all landowners to grant leases to their tenants. The landowners know that they are in a most singular and favoured position—that it is immensely to their interest to stand by one another and to foster the political power of their class, in order to protect their vast privileges, and that the most effectual way of doing this is by controlling the county elections, and securing, as far as possible, a majority of landed-interest members in the House of Commons. They could not do this if their tenants were really independent. The tenants would be practically independent if they could obtain leases for 21 or more years. And for this reason the landowners for the most part refuse leases, and often give their tenants to understand that they must vote "right." There are fewer farms than there are applicants, and there is consequently no difficulty in letting the farms from year to year on these conditions. This enables the landowner soon to get rid of a tenant who ventures on independent action. But look how the want of a lease operates. When the tenant leaves, he practically forfeits, if he has laid out much capital, nearly all he has

expended in improvements on his farm. All expensive drainage works, or works for the collection and utilisation of the sewage and manure, or improvements of farm buildings, erection of agricultural machinery, &c., generally go to the landlord, without any compensation, when the tenant is turned out. How then can a tenant of capital venture on extensive outlay or improvement, without any real security that he will reap the return, nay, without any security that he will not lose his outlay? All great writers on agriculture bewail this state of things, and it is only necessary to compare the vast superiority of a farm held under a long lease, with a similarly-sized farm held without lease, from year to year, to see how prejudicially the system operates, both on the state of the farm and on the enterprise and character of its occupier. Many of the farmers themselves have long felt this most bitterly, so bitterly that the present Government attempted to appease them, to some extent, by passing one of the most delusive Acts that was ever designed—I mean the Agricultural Holdings Act, 1875. This Act pretends to give to the farmers a right to compensation for unexhausted improvements, but the Government took care to render the Act practically a nullity by not making it compulsory on the landowners. Instead thereof the Government enabled the landowners to avoid being bound by its provisions whenever they pleased. Nearly all landowners have already done this in nearly all parts of the kingdom, and consequently the farmers are practically just in the same position as before. This shows most remarkably the strength and union of the landowners in both Houses of our Legislature.

#### 16. THE COUNTY FRANCHISE AND EDUCATION.

As in the case of leases, so in the cases of the county franchise and of education, the vast privileges and power which the landowners' class possess, owing to the Land Laws, make them very naturally, with some bright and patriotic

exceptions, opposed to progress and reform, while the very delay makes reform, especially in the first of these subjects, more and more dangerous for their own interests as a class. Forty years ago the agricultural labourers had no leaders, no papers, no education, and very little intelligence. Now they have leaders and papers and a growing though ill-directed intelligence. Their journals are spread far and wide among them—are read in the village beerhouses—are discussed everywhere. And what journals! They are filled with the most ignorant and injurious socialism. They openly argue that each peasant should have a share granted to him of his rich landlord's estate, and that every peasant should have a plot of land of his own, not one earned by labour, self-denial, and economy, but one granted to him by the State! They abuse the present system, not because it is the exaggerated result of unfair laws, but merely because the land is not divided among the peasants! They ignore all laws of political economy—all the experience of ages—all that is being done in other countries. They simply cry out for an impossible social revolution. And to this they have been brought by generations of neglect and ignorance, by being utterly divorced from the soil on which they live, by finding it yearly more and more difficult to obtain decent cottages, by a want of any future except the workhouse, and by knowing that they are refused all share in the representation of the country, and all means of improving their position. Is it wonderful that the landowning class should dread the evil of their own creation?

And even now they are, with brilliant exceptions here and there, opposing the advance of any really satisfactory system of education. Round where I live, in an agricultural district, I know of no School Board but one, and that one was forced upon a rich but unwilling parish by the landowner, who is, shame be it said, not an English, but a foreign lady! The Act of 1875 is, as far as I can learn, a dead letter; and in my own parish, although there is a very good school supported by charity, for children who choose

## 76 *Evil Consequences of the Existing Laws.*

to go, how little can be done, compared with what ought to be accomplished, unless the children can be detained until a later and a maturer age !

“Where there is a will, there is a way,” but where there is no will, what then ?

I met three or four years ago a titled man, a landed proprietor in one of the richest agricultural counties of England. He is a good man, a liberal landlord, kind to the poor, careful about the small material wants of his labourers, and he is very rich. I knew something of his neighbourhood, and I asked him if he had a school in a village I will call X. He said, “Oh yes.” I said, “Have you a certificated teacher ?” He said, “No ; we have a respectable woman, who teaches the children.” I said, “Has she not been trained to teach ?” He said, “No ; we cannot afford to pay for a trained teacher. Our teacher is quite sufficient for our school. I object to increase the burdens of my farmers to pay for expensive teachers.” The idea that he, who owned the whole village and all the land around, ought to pay, never crossed his mind. He disliked the idea of the peasants having really efficient instruction, and you may imagine how little developed is the intelligence of his peasantry. You will not wonder that the peasantry of that part of the country are under the influence of the peasant demagogues, and are possessed with wild ideas of their rights ; and yet this titled landowner is a very able and enlightened man, and far superior to the majority of his class

### 17. THE STIMULUS TO EXTRAVAGANCE.

Let me say one word on this consequence of our Land Laws. By them we have created a class of men who are far richer than any corresponding class in any other civilised country. There are, no doubt, very rich proprietors in other countries. But they are only exceptional cases as compared to our class of landowners, numbering as it does among its ranks men with incomes that seem fabulous

to mention, arising from their vast estates. But what is the effect of all this? In all classes below them it stimulates a striving to be as rich as the next classes above. This effect is seen far down in the middle classes. Extravagance and luxury are unduly encouraged. The supposed necessary cost of life is increased. The expenses of the home life are swelled. The simple life of most of the middle classes, where such laws do not exist, would be despised and thought mean in England. The life and duties of the mistress of a middle-class family in Germany, Switzerland, and the country districts of the United States, would be thought degrading. There is no country in the world where the life of a middle-class family is so expensive as in England, and surely neither the happiness of the family nor its moral tone is improved by all this. It is much more expensive to educate the children, much more difficult to start them in a career, much more expensive to provide them with a home here than in the countries where such Land Laws as ours do not exist.

I have now completed this branch of my subject. I shall try in my future letters to explain, shortly, how strangely different a state of things exists in the Republics of Switzerland and France, in the Empire of Germany, and in the Kingdoms of Belgium, Holland, and Italy.

## LETTER VII.

### ON REGISTRATION.

*May 1878.*

THE language sometimes used about registration shows that what registration is, is not understood. Registration, no matter in what country, is nothing more than a plan of keeping a public record of any transfer or agreement affecting land, when such transfer or agreement has been completed.

The way in which it is worked is this:<sup>1</sup> an office is opened for a given district. Books are kept there, in which each separate estate has its page. Say that A. is the owner of a field named Whiteacre, and that B. wants to buy. B. goes to the office, examines the register, and sees what agreements, mortgages, &c., &c., are in force affecting Whiteacre. He then goes and makes his bargain with A. A short agreement of sale is drawn up by their lawyers. It is taken to the Registration Office, and if, in the meantime, no other agreement has been entered on the pages of the register, it is signed,<sup>2</sup> and an abstract or copy of it is entered in the registry book. The law compels this to be done, by declaring that the agreement which is first entered shall be in force prior to any other subsequently entered. So that if B. finds no mention of any other agreement of transfer mentioned in the book, he knows that he may with perfect safety pass over the purchase money and sign the

<sup>1</sup> For an account of the system of registration in Belgium see Letter XIII. p. 156.

agreement. The transfer of the land is thus effected by the paper or parchment agreement.

The entry in the public register is only to preserve public evidence for any future purchaser or mortgagee of the exact state of the documents which affect the property at any given moment. As soon as the terms of the transfer are agreed on between buyer and seller, the buyer is only too eager to register, lest any other transfer or agreement should get precedence of, or prior effect to, his own; and in some countries the law renders the transfer or agreement invalid until it has been registered.

Thus in Scotland, where they appear to have a very efficient and cheap system of land registration, the law requires all writings affecting land to be registered under the penalty of invalidity.

The reason why all schemes for a system of registration in England and Wales have hitherto failed, is that the various Acts on the subject have not made registration compulsory, either by rendering a deed or document affecting land invalid, if not registered, or if not registered before some other subsequent deed or document is registered.

The most radical measure of registration that has ever been proposed by any man, whether layman or lawyer, in this country, was the scheme of compulsory registration, prepared and brought in by Lord Selborne, the Liberal Lord Chancellor, but it was defeated, like all other really genuine attempts in the same direction, by the great land-owners and their solicitors.

But it must be borne in mind that, while a system of registration would somewhat lessen the expense of the *search* for titles, its effects would be very slow, so long as the settlements and wills were allowed to have such effect on the land as at present.<sup>1</sup> Conveyances and wills would continue just as lengthy as at present. Many years would elapse before even the expense caused by the examination of titles would be lessened, and the utmost which could

<sup>1</sup> See also Letter XIII. p. 156.

ever be effected by such a system would do but little towards lessening the expense of conveyances, though it would make titles *safer* than at present.

Now, in Germany, Holland, Switzerland, Lombardy, the Tyrol, Denmark, Norway, Belgium, France, and in a great part of Italy and America, the law does not allow the proprietor of land a power of preventing his property from being sold after his own death. In all these countries the old feudal system of primogeniture, entails, long settlements, and intricate devises of land, invented in order to keep great estates together, to preserve the great power of the feudal aristocracy, and to prevent the lands getting into the hands of the shopkeeping and peasant classes, have been, since the first French Revolution, swept away.

The conveyance of the land, in these countries, from man to man, is very simple and very cheap. Two causes contribute to produce this result.

1. The deeds of transfer are very short and simple.

No man can subject his estate to the long settlements and singular arrangements, to which an English proprietor can subject his land : he can only affect his land during *his own lifetime*. The consequence is, that it is not necessary to make provision in the deeds for so many contingencies, nor for so many changes in the property, nor for such long future arrangements as in England. The foreign deed does not generally do more than convey away simply and briefly the whole of the seller's interest, and does not, as is the case generally in England, convey some limited interest in the land, and then make arrangements how the rest of the interest in the land is to pass from hand to hand for the next 50 or 80 years, and for all the contingencies which may arise during that time.

2. There is no need to expend any money in examining the title of land in the foreign countries I have mentioned.

In most of these countries there are, in each of the provinces, registration courts, where all the changes in the right to, or ownership of, every parcel of land in the province



is entered in a book under the name or description of the land. No mortgage, lease, conveyance, or writing affecting land is allowed, by the laws of these countries, to have any validity, unless it is entered in the books of the registration office of the province in which the land is situated ; so that a purchaser knows that he can always easily, without any expense, and in a few minutes, discover what the state of the title of the land he thinks of buying is ; and he knows that no mortgage or other encumbrance, which is not copied in the registry book under the description of the piece of land which he thinks of purchasing, can turn up afterwards and affect his land, since the law, as I have said before, does not allow any validity whatsoever to any writing affecting the land, which is not registered in its proper place in the registry books of the province in which the land is situated.

## LETTER VIII.

*IMPRESSIONS PRODUCED BY FOREIGN TRAVEL :*

1844-50.

*June 15, 1878.*

I HAVE now, in No. I., shown how the present English Land Laws have accumulated most of the land of Great Britain and Ireland in a few hands, and also the vast extent of some of those estates.

In No. III. I endeavoured to explain, in a popular way, the laws which have brought about the extraordinary and highly inexpedient condition of things described in No. I.

In Nos. IV., V., and VI., I endeavoured to show some of the more serious direct and indirect consequences of these English Land Laws.

I now propose to try to explain, as clearly as I can, the way in which the land is divided among all classes of the people in foreign countries, the remarkable consequences of such division, and the causes which have led, and are still conducing, to such division.

But before I enter on these subjects, I must, at the risk of being deemed somewhat egotistical, explain to my readers how it happens that I have any right to express any opinion whatever upon questions of so much difficulty.

In 1844, I was appointed by the Senate of the University of Cambridge, on the recommendation of Dr. Whewell, the then Master of Trinity College, the "Travelling Bachelor of the University." This office required me to travel, during each of three years, in foreign countries, to investigate some subjects or institutions of public interest. I was appointed

to examine the state of the education of the working classes in Western Europe, and to report upon such state to the University. At that time my brother, Sir James Kay-Shuttleworth, had just established, in company with Mr. Tufnell, the first pauper industrial school, at Norwood, and the first institution we ever possessed for the education of teachers, at Battersea, and I had been a good deal associated with him in the management of the latter institution. The great question of national education was just beginning to attract public attention as one of the great problems of the future, which we had to solve somehow or other.

At this time, I knew nothing either of our own Land Laws or of those of foreign countries, and I consequently felt no interest whatever in questions connected with them.

I left England on my appointed duties, furnished with introductions from our Government and from the German Ambassador, Chevalier Bunsen, to all the governments and other authorities and heads of institutions who could aid me in my proposed inquiries. I went first to Switzerland, partly because in that country were to be found some of the greatest leaders of the educational movement which had been for many years spreading through Western Europe, and partly because I knew that some of the cantons were, even at that time, making the greatest efforts to perfect the schools for the children of all classes of their people. I visited first the rich agricultural cantons of Neuchâtel, Berne, Vaud, Argovie, Zurich, Geneva, and Thurgovie.

As I travelled through these prosperous districts, from school to school, I was more and more struck by the prosperous appearance of the farms, by the high farming, the substantial comfort, size, and excellence of the farm buildings, the numbers, beauty, and fine condition of the cattle, the extraordinary richness of the pastures, and the evident care that I observed on every hand not to waste anything, either land in wasteful fences or in undrained plots, or any portions of the manures from the farms and

homesteads, or anything that could by any means conduce to increase the produce of the farms. I was astonished also to see how much care and expense were bestowed on the embellishment of the exterior of the houses, as if the inmates were really interested in them. I noticed, also, that although the everyday working dresses of the men and women were of very coarse, substantial, and often home-made materials, I seldom, if ever, saw rags even on the working days, while on the Sundays men and women always appeared in comfortable, substantial, unpatched clothes, and often, if not generally, in their national costume, or at least with some part of their picturesque cantonal ornaments. But what surprised me as much as if not more than anything was, that as I drove along the public roads for miles, even near the towns, the roads were bordered by rows of magnificent fruit trees of various kinds. These trees had no protection against theft. There were no hedges or palings. They were all open to any passenger along the roads. Any one could have plucked the fine fruit. I have often seen in the autumn the overladen boughs supported by long poles, forked at one end, and even then nearly breaking under their burden. I have seen the ground beneath covered with ripe and fallen fruit, but no one touching or interfering either with trees or fruit. I have seen hundreds of miles of such roadside orchards in Switzerland, Germany, and Italy, and have constantly looked with astonishment at the wonderful respect for property which all this evinced.

After some time spent in examining the primary schools throughout Switzerland, I went to the Lake of Constance, to visit and inspect the celebrated Training College for Teachers, which was then presided over by the celebrated Vehrli, at that time one of the most distinguished promoters of the education of the working classes in Europe. It will be seen directly why I refer to this college.

It was situated about a mile from the old city of Constance, close to the shore of the vast and beautiful

lake, and upon a rising ground, which slants gradually upwards from the water. It is an ancient turreted house, and was formerly the palace of the abbot of the vast convent situated about half a mile distant, and which was, at the time of my visit, still occupied by monks. The college commanded magnificent views. Close below it, spreading out 70 miles in length and 20 miles in breadth, lies the Lake of Constance. To the left rose the ancient time-honoured towers of the Council and martyr-famed city. Far to the right rise the lofty snow-clad peaks of the mountains of Appenzell.

This commodious and splendidly-situated building had, some years before my visit in 1844, been set apart by the Republican Government of the canton as the college for the education of teachers for the village schools of this agricultural canton. The Government had also allotted to it orchards and a large farm, which was entirely managed by the students, who learned there, under skilful teachers, scientific farming.

The education given to the students was such as fitted them to become the teachers of the young children of any class of society. They all were taught, besides the ordinary subjects, mathematics, practical science, music, and drawing. And they were only received into the college after having passed a severe entrance examination. The first time I went there Vehrli was in the fields, superintending the farm labour of the students. One of them offered to go for the director, and begged me to walk through the college and examine anything I desired. I found all the furniture of the plainest. The bed linen was coarse—the chairs and tables simple deal. But the books, the mathematical diagrams on the black boards, the drawings of the students, the musical instruments and music books, showed what a contrast the education bore to the daily life.

Vehrli came dressed in a farmer's tweed coat, an old weather-beaten hat, and thick farming shoes, with hands

and skin like a farmer's, but his eye and features told of the intellect and intelligence of the man.

He explained to me, in this and subsequent visits, that his students were intended for rural schools, to live among the farmers, who owned and worked their own farms ; that they would have to associate with the peasant farmers and their families, and to teach their children ; that it was most important for them to be able to understand the farmers' work, to talk with them, to advise them, and to disseminate a better knowledge of scientific farming and gardening ; that in this way, too, they gained the respect, esteem, and support of the parents ; that they, being accustomed to these simple country pursuits, did not become discontented in their simple rural homes ; but, on the contrary, found their work and life at the rural schools easier and more comfortable than their simple life in the college.

I began then to realise the fact that the Swiss peasant and yeomen farmers were actually owners of the land they farmed. It was they who paid for the high and careful training being given to the students in Vehrli's college.

I went with him into the fields, and found the students there, clad just like peasants, and engaged in all kinds of farm work. When they returned to the college they deposited their farm clothes and clogs in places provided, and put on their simple students' dresses.

After seeing much of this most remarkable and interesting institution, in which the students remain two years, I went with Vehrli to see a large agricultural school in the neighbourhood. This was supported by the peasant and yeomen farmers of the canton, and not by the Government. To it were sent the sons of farmers who wished their sons to acquire a fair knowledge of agricultural chemistry, the treatment of soils, the management of manures, the management of cattle, &c. There I found a building well supplied with all the scientific materials and apparatus necessary, very intelligent professors, and a large class of students, earnestly pursuing their studies and work. Vehrli again

explained to me that this was maintained, in order to enable the sons of the small farmers to improve to the utmost their modes of farming and the capabilities of their land.

I was extremely surprised, and began to ask myself, Do our leasehold farmers act in this way? Is it true that actual ownership is such a wonderful stimulant to self-improvement, self-denial, and exertion? Is it true that it is not the schools alone to which must be attributed the prosperous and independent condition of the peasantry?

I began, in short, earnestly to study not only the education question, but the almost equally grave one of "free trade in land." The more I travelled through the educated agricultural cantons of Switzerland, the more I was interested and astonished at the beneficial influences of *ownership* upon the yeomen farmers and the peasants. They laboured and struggled for themselves—the full results of all the labour, self-denial, and intelligence they exercised were their own. They worked for no landlord. They shared none of their winnings from their lands with any master. The more I saw, the more I was impressed with the moral and social effects of the release of the land from the feudal laws, and I began to ask myself—Would not similar results follow a similar release in England?

I returned to England, and began the earnest study of our Land Laws. I then returned to the Continent, and travelled through the principal countries of Germany. Throughout these countries I found that the feudal laws had been done away, and that the educated yeomen farmers and peasants were cultivating their own lands. Everywhere I found the good effects of these great reforms manifested in the moral well-being of the yeomen farmers and peasants, in the healthy self-help they manifested, in their hopeful looks, in the good and substantial appearance of their villages and houses, in the economical and careful management of their fields.

But one of the most remarkable proofs of the vast blessings conferred upon the people by the united effects of

## 88 *Impressions Produced by Foreign Travel.*

education and "free trade in land" was offered by the condition of Saxony, as compared to the neighbouring country of Bohemia. These two countries lie side by side. A great part of the people of these countries speak the same language, profess the same religion, and belong to the same race, but the condition of the peasants of these two countries at the period of my visit was as different as could well be imagined.

In Saxony the people had for years been educated by admirably trained teachers, from their fifth to their fifteenth year. In Bohemia the instruction then given was much inferior in all respects, and, such as it was, it was more in those days directed to the object of making them good subjects of the absolute Government at Vienna, than of making them intelligent and thoughtful men, as in Saxony.

In Saxony the feudal laws had, as in almost all the rest of Germany, been abolished. The land belonged for the most part to the yeomen farmers and peasants who cultivated it. In Bohemia the land was divided amongst great nobles, who left their estates in the hands of agents, and who carried off their rents, as most of the Irish landlords do, and spent them in the distant capital of Vienna.

Now, what was the comparative condition of the peasantry of these two rich countries lying side by side? In Saxony there was very little pauperism; the peasants were well and comfortably clad; ragged clothes were scarcely ever to be seen; beggars were hardly ever met; the houses of the peasants were remarkably large, high, roomy, convenient, substantially built, constantly whitewashed, and orderly in appearance; the children were clean, comfortably clad, and respectful and intelligent in manners; there was little apparent difference between the young children of the different classes; these children were taught in the same schools and by the same teachers until they were twelve years of age, as is the case throughout a great part of Germany and Switzerland; the land was most carefully cultivated, as well as in any part of Europe, and the general



condition of the peasantry was more prosperous and happy-looking than that of any other country I had seen, except, perhaps, the peasantry of the Swiss cantons, Berne, Vaud, and Neuchâtel, or that of the Rhine provinces of Prussia.

In Bohemia, just across the frontier, on the other hand, a totally different spectacle presented itself, and one which could not fail to strike any observant traveller with astonishment. As soon as I crossed the Saxon frontier, from the land of "free trade in land" and education, into Bohemia, the land of great estates, feudal Land Laws, and defective education, I found myself surrounded by beggars of the most miserable appearance, like our "tramps;" the peasants were poorly dressed, were often in ragged clothes, and were constantly, if not ordinarily, without shoes or stockings. The cottages were small and wretched. The villages were generally only collections of the most miserable wooden cabins of one storey in height, and were crowded together as much as possible. The land was only half cultivated, wanted that appearance of care, neatness, and economy of every available portion which is the invariable sign and consequence of free trade in land.

I travelled through one part of Bohemia with a Saxon. He pointed out the beggars to me, and said with pride, "You will not see such sights in my country. Our peasants are owners of their own little estates, and have been steadily improving in their social condition ever since we repealed our feudal and entail laws, and did away with any impediment to the sale and transfer of land, and since we began to educate the children as we now educate them. Our people are well educated. They have got libraries in their villages. They are contented, because they are intelligent and know that their success in life is untrammelled by unjust laws, but depends on their own unfettered exertions, and that there is nothing to prevent their succeeding if they are only prudent. But these poor Bohemians have no

strong stimulus to be prudent or industrious. They have no interest in the soil. They are little better than the serfs of the great lords at Vienna."

I travelled through another part of Bohemia with a very intelligent Prussian landlord, with whom I had a great deal of conversation. He said to me, "What a strange spectacle it is to see this fine country so badly cultivated and the peasants so poorly housed. Look, too, what great tracts are left entirely uncultivated. You do not see anything like this in those parts of Prussia where the peasants are educated proprietors. There they are prosperous and the land is beautifully cultivated. Here a great part of the land is waste, while the peasants are the miserable dependents of great landlords, who spend their rents at a distance from their estates. If Bohemia were only cultivated like Prussia, it would be one of the richest countries in the world. But it never can be properly cultivated under the present system."

How all this made me think, not only of England, but still more of unhappy Ireland!

I need not say that, after such an experience and such a lesson as this, all belief in English and Irish and Scotch Land Laws passed away from me for ever. I saw, more clearly than I had ever done, what education and freedom were capable of effecting in all classes, in all nations, and in all departments of human industry. I had been the agent of the Anti-corn-law League while I was a student at Cambridge. I became henceforward the earnest advocate of free trade in land. What may be the state of Bohemia now, since the introduction of Liberal reforms in the Austrian Empire, I know not, but I know I have given a faithful picture of things as they were in the years 1845-48.

Since those years I have lived much among the yeomen and peasant proprietors of Switzerland and Germany, and the more I have seen the more earnestly I have become

convinced of the truth of the conclusions to which I was forced in the years 1844-50.

But it must be borne in mind that I speak of what has been accomplished by the repeal of the feudal laws in countries in which education has progressed hand in hand with the other great social changes. In those parts of Germany and Switzerland, where the struggles of the religious parties or other difficulties hindered or prevented the progress of education for many years after free trade in land had been introduced, the condition of the yeomen and peasant farmers was most clearly far behind the condition of the same classes in those provinces, in which education had progressed hand in hand with the other great reforms.

In 1844-50, when very little comparatively had been done for education in the cantons of Friburg and Lucerne, and the other lake cantons and the Valais, the condition of the yeomen and peasant farmers, although they had enjoyed free trade in land as long as the other cantons of which I have spoken, was far inferior. The most cursory glance was sufficient to satisfy the traveller of this, as he looked at the villages, the orchards, or the fields.

So, too, in France at the present day. There they have had free trade in land as long as any nation, but the yeomen and peasant farmers have hitherto had nothing deserving the name of education. Their ignorance is appalling. It is limited to the experience of their own immediate neighbours. They know nothing of the world, even at a distance of 100 miles from their doors. Science is a sealed book to them; agricultural schools and teachers, such as those of Germany and Switzerland, are utterly unknown. Their almost inconceivable ignorance is most strikingly described in Mr. Hamerton's able and interesting book, "Round my House," published as lately as 1876 by a gentleman who has lived for years among the French peasantry, and who probably knows as much, if not more, of their present condition than any other living Englishman.

He says (p. 228), "The ignorance of the French peasantry is difficult to believe when you do not know them, and still more difficult when you know them well, because their intelligence and tact seem incompatible with ignorance. . . . They are at the same time full of intelligence and inconceivably ignorant. . . . His ignorance is incredible. He really does not know what the word 'France' means. . . . Fancy the condition of a mind which has *no* geographical knowledge! I knew an old peasant, who sometimes asked me where places were, and his way was this: He would ask me to point in the direction of the place, and when two places happened to lie in the same direction, it was almost impossible to make him understand that they were not on the same spot." Mr. Hamerton lived in a part of France so near Switzerland that the tops of the Alps were sometimes visible from the summits of the hills in his neighbourhood. But he says (p. 231), "The greater part of the peasantry here have never heard of Switzerland." They adopt the experience and maxims of their predecessors. That is their whole science of farming.

Is it wonderful, then, that France, with only free trade in land, should be half a century behind the countries of Switzerland and Germany, which have had now for so many years the vast combined advantages of free trade in land and education, and, in many parts, of a thoroughly good agricultural training also?

But even in France, how wonderful have been the results of free trade in land, even without education, spite of the dread prophecies that have been uttered since 1830 as to what would be the certain results of the great subdivision of land in that country! Year by year, evidence which cannot be gainsaid accumulates upon us, showing the remarkable progress among the small French proprietors and the gradual increase of their comfort, savings, capital, and intelligence. Let the Republic only last and accom-

plish what it has pledged itself to perform—viz., to give a thoroughly good education to every child from its fifth to its fifteenth year, as in Switzerland and Germany, and the prosperity of the yeomen and peasant proprietors of France will soon rival, if not surpass, the prosperity of their German rivals.

## LETTER IX.

ON FRANCE.

*August 6, 1878.*

I CANNOT too often or too strongly remind those of the public who are interested in the subject of these letters—and, as they are now being regularly republished in various journals both in England and Ireland, I suppose there are many who are so interested—that the first argument brought forward against any one who is in favour of “free trade in land,” and consequent subdivision of the great estates, is almost invariably the exclamation, “Look at the state of France.”

A short time ago, a very able man, well known in the political world, called on us and entered into a discussion upon the Land Laws. He knew very little of the subject. He had not studied it at all. But his good strong sense had made him revolt against the system of English laws which divided the vast bulk of the land of Great Britain and Ireland among a few owners, while it deprived peasants, small farmers, most of the large farmers, and the tradesmen of the towns of any share, or of anything but a very small share, in the most valuable and most coveted of all property.

Our friend inveighed bitterly against the state of things in one of the counties where he had been visiting, describing in vivid language the enormous possessions, households, wealth, and luxury of the great landowning aristocracy, and describing no less powerfully the poverty and hopelessness of the peasantry, and the utter impossibility of either

the peasantry or the small farmers obtaining land. He said that he had not concealed from his relations the impression which this strange and sad contrast had made on his mind, upon his return to England after a long absence of many years. But the moment we began to discuss the remedy, then his mind seemed to be filled with a dread of the French system, and he began to inveigh against the impossibility of such a system working well, or producing anything but ruin.

Now, I have never been an advocate for the French system, which divides nearly all the land which a man possesses at his death among his children, and of this I shall have more to say hereafter.

But what I want to impress strongly on my readers is that it is simply ridiculous to declaim in this ignorant way against the French system. I will prove by abundance of evidence that even this extreme system is producing an ever-increasing prosperity even in France, where as yet the peasants and small farmers are almost wholly uneducated. But independently of all this, and putting this evidence aside, these cavillers are ignorant of the fact that some of the most richly cultivated countries in Europe, such as the prosperous agricultural cantons of Switzerland, the splendidly cultivated Rhine provinces of Prussia, other provinces of Germany, and the rich provinces of Holland and Belgium, have the same Land Laws as France, are subject to the same system of subdivision on an owner's death, are cultivated by small yeomen farmers and peasant proprietors; but that the vast difference, the great fact which makes their land-owning classes so much more prosperous even than those of France, is that their farmers and peasants are well-educated, intelligent men, while the French small farmers and peasant proprietors are, owing to the selfishness and fear of former arbitrary rulers, sunk in a condition of ignorance which must be seen and studied to be believed.

As I have over and over again said, I am thoroughly opposed to the French system of Land Laws. It has always seemed to me that it errs as much in one direction as our

laws do in the other. Our laws seek to prevent subdivision, whether it is expedient or not; the French system seeks to force subdivision, whether it is expedient or not.

But I believe that our system is infinitely more prejudicial to the yeomen and peasant classes than the French system, and that I will presently show.

My belief is that the principle of the "Edict for the Better Cultivation of the Land," which was promulgated in Prussia in 1811, and mainly brought about the free trade in land now existing in that country, is the right principle. The Edict allows the owner to give, sell, or devise his land, or any part of it, to any one he pleases, but it does not allow him to tie it up by any instrument, so as to prevent its being sold after his death. The land is always saleable; it is always changing hands. Some estates subdivide, some increase in size; and the consequence is that, while there are a considerable number of large estates, there are vast numbers of yeomen farmers, peasants, and market gardeners who own and cultivate their own land. If an owner cannot make his farming pay, or finds a more prosperous career open to him, or becomes bankrupt, or for any other reason wishes to enter into some other business, he sells to some one who has capital and enterprise and knowledge enough to make the land a profitable investment. The land is never tied up in the hands of men who have neither the capital nor the industry to cultivate it properly.<sup>1</sup>

It is a system of this kind, and not the French or the English system, that I am in favour of. But, inasmuch as I am convinced that the French system of excessive subdivision is better for the yeomen farmers and the peasants than ours, and inasmuch as this system is constantly put forward as the bugbear and stumbling-block of those who would reform our Land Laws, I propose, first of all, and before describing what has been accomplished in Germany by real free trade in land, to explain—first, what the French system actually is; and, secondly, what this system has accomplished for the French

<sup>1</sup> See note at the end of this letter.



yeomen farmers and peasants, even in spite of their extraordinary ignorance and want of education. First, then, what is this French system of Land Laws which is now in force in France, in the Rhine provinces, in the largest and richest of the Swiss cantons, in Holland, in Belgium, and in a great part of Italy?

The French law is this : the Article 745 of the Code Napoleon provides for the equal division of property among all the children, without distinction of sex. In default of children, the succession reverts to brothers, sisters, and their children ; and, in default of these, to other relations in the order pointed out by the code.

Provisions are made by Article 756 for natural children. and by Article 767 for the wife.

A landowner is not obliged to leave the *whole* of his estate to be thus divided equally, if he desires otherwise. The French law permits him, if he so wishes, to bequeath by his will, to whomsoever he may nominate, *one-fourth* of his land if he has *three* children, *one-third* if he has *two* children, and *one-half* if he has only *one* child. Or, in other words, to quote Mr. Cliffe Leslie's article in "Systems of Land Tenure in various Countries : " "The French law of succession limits the parental powers of testamentary disposition over property to a part equal to one child's share, and divides the remainder among the children equally."

Land cannot, under the French law, be tied up and made unsaleable after the owner's death. The next successors to it may sell it to whomsoever they please.

No marriage settlements like those which our law allows, and which often keep an estate out of the market, and make it impossible to sell any portion of it, however expedient it may be to do so, are permitted by the French law ; but the law protects the wife's marriage portion, whether such portion consists of land or money, as long as her husband lives, by stringent provisions, and after his death it becomes her own absolutely.

Secondly, let us shortly consider what effect this law has

had upon the division of the land in France, and upon the size of the estates. In considering this question, it must be remembered that, before the great French Revolution of 1789, there were a great number of small yeomen and peasant proprietors in France over the whole face of the country.

Owing to the exactions of the nobles, and to the right which the nobles had to force the peasants to do various kinds of work upon the great estates, without any reward, and at times when their labour and carts and horses were wanted on their own land, and to the right which the law gave the nobles in many cases to force the peasants to contribute to their wealth and extravagance, the yeomen and peasant proprietors of those days were in a condition, as Arthur Young has shown us, which was sufficient to make any one despair of any real amelioration of their state without some great change of the whole structure of society.

The great Revolution came. The feudal system was destroyed. The oppressive rights of the nobles were swept away for ever, and the present system of Land Laws was established. What has been the effect?

The land in France is now chiefly occupied by small proprietors. According to the best and most recent calculations that have been made by M. de Lavergne in his "*Economie Rurale de la France*" (last edition), there are now 50,000 proprietors, each possessing an average of 300 hectares, 500,000 with an average of 30, and 5,000,000 with an average of 3. A hectare of land is nearly equal to two acres and a half. Putting, therefore, the French measurements into nearly equivalent English values, it appears, according to M. de Lavergne, that 50,000 proprietors possess each an average of 750 acres; 500,000, an average of 75 acres; 5,000,000, of  $7\frac{1}{2}$  acres.

Turning to the reports of Her Majesty's Representatives respecting the tenure of land in the several countries of Europe, published as lately as 1869, we find that Mr. West, reporting upon the tenure of land in France, says that landed property is thus divided, properties averaging 600

acres, 50,000 ; properties averaging 60 acres, 2,500,000 ; properties averaging 6 acres, 5,000,000. M. de Lavergne is, however, the best and safest authority upon this subject. He is a Membre de l'Institut, and has devoted many years to the most careful examination of all questions connected with the rural economy of France ; and the fourth edition of his celebrated work on this subject has only recently appeared.

But even his estimate is only an approximation to the truth. It seems very probable that among the number of the smaller proprietors many have been reckoned several times, owing to their having plots in different communes. And besides this, another fact must be borne in mind—viz., that a great portion of the land of France is devoted to the culture of the vine, for which very small properties and manual labour are peculiarly appropriate. In these districts the average size of the small properties is much less than in the agricultural districts.

But still another and much more important fact to be considered is, that according to the testimony of all the best-informed writers upon this subject, and especially of Mr. Thornton in his "*Plea for Peasant Proprietors*"—an admirable essay on this subject, which received the special praise and approval of our great political economist, Mr. Mill, and which has now reached a second edition—that a considerable number of the small properties which are grouped under the grand total of 5,000,000 are small plots, many of them only small kitchen or market gardens, and many others only a field for a cow or a beast of burden. The owners of all these latter small portions of course do not earn their livelihood by the cultivation of these small plots only. They labour, as our peasants do, on the properties of the larger landowners for weekly wages, and Mr. Inglis, in his "*Switzerland and the South of France*," vol. ii. page 269, says, "I am inclined to assert that, upon the whole, the French peasantry are the happiest of any country in Europe." And Mr. Thornton in his "*Plea*," &c., quot-

ing from Inglis, says, "While passing through Languedoc, Inglis particularly remarked the 'very enviable situation' of the labouring class." The people appeared to be well off, and paupers were rare.

Now, deducting the proprietors who are twice reckoned, the vast numbers of owners of small vineyards, and the undoubtedly great number of labourers who really earn their livelihood by working on the larger estates, and have only a garden or a field to eke out the comforts of their family, from the 5,000,000 small owners, the great probability is that the average size of the estates of the actual yeomen and peasant farmers of France is considerably above the alleged average of  $7\frac{1}{2}$  acres. But even if it were not so, it seems strange to me to affirm that the owner of a farm no larger than  $7\frac{1}{2}$  acres would not, by means of the industry, economy, and self-denial which are almost always characteristic of a small owner, be able to earn a comfortable maintenance for himself and family, and one far superior to any which our rural peasants are able to enjoy. Whatever theorists may say, these small owners do prosper, and are so contented with their lot, and that lot is so envied by those who do not possess land, that on the death or removal of an owner his estate finds many bidders in the market, and the price of land in France is found to rise and not to fall.

Thirdly, I will now try to show that, spite of the want of any efficient system of education in France, spite of the dense ignorance of the French peasantry, spite of the want of agricultural schools such as exist in Germany and Switzerland, the division of land in France caused by their system of Land Laws is promoting the contentment, happiness, and prosperity of the yeomen and peasant farming classes of France.

The first fact which strikes one in considering this part of our subject, and which seems to me to prove incontestably the happy working of the French Land Laws even in France, and the perfect satisfaction of both larger and

smaller owners with them, is this—that no matter what the system of government in France, whether limited monarchy, Imperial despotism, or republic, no Government has ventured to propose any change whatever of these laws, or to abolish or limit the system of compulsory subdivision. The just weight of this remark will be understood if it is considered how rejoiced the Government of Louis Philippe or of Louis Napoleon would have been to have created a great territorial aristocracy, as a support for their systems of government, if it had been possible for them to have dared to propose such a scheme to the Chamber. And this is all the more striking when it is remembered by what a very small number of middle-class, well-to-do electors the Chamber of Representatives was elected during Louis Philippe's reign. But throughout his sham of constitutional government, throughout the despotism of Louis Napoleon, throughout the struggles of the reactionary parties, the one system of laws in France which has remained unassailed and truly unassailable has been their system of Land Laws, so strongly are they now rooted in the cordial satisfaction, contentment, and well-being of the French rural classes.

But another equally remarkable fact, which shows, independently of statistics, how these laws are promoting the economy, prudence, thrifty habits, and well-being of the French rural classes, notwithstanding their ignorance, is the wonderful way in which these classes have come forward and taken up a large part of the great loans of the Empire, and of the immense sums raised by M. Thiers' Government to pay the frightful burdens of the war—burdens which all Europe thought would have crushed France for a long space of time. But the sums to meet these terrible demands were found to a very great extent by the small agricultural owners themselves, and the world was astounded by ascertaining that, although in 1823 Mr. M'Culloch had prophesied that in "half a century it (France) would certainly be the greatest pauper warren in Europe, and, along with Ireland, have the honour of furnishing hewers of wood and drawers of

water for all other countries in the world," in 1872 this same France, Mr. M'Culloch's "pauper warren," was paying off with apparently the greatest ease one of the heaviest, if not the heaviest, fine that had ever been laid upon the shoulders of any nation in the world, and that the rural classes were to a very great extent, if not mainly, finding the funds by which this most extraordinary feat was accomplished; and what is equally, if not more, remarkable is that these same classes, who by this time were to have formed such a "pauper warren," are supporting with enthusiasm a Government which has been forced to raise the scale of taxation on many, if not most, of the articles of their daily life.

NOTE.—The "Edict for the Better Cultivation of the Land," referred to by Mr. Kay in this letter, formed part of the legislation known as that of Stein and Hardenburg; and the following are the passages of this Edict which he had before him when writing the letter:—"The proprietor shall henceforth (excepting always where the rights of third parties are concerned) be at liberty to increase his estate, or diminish it, by buying or selling, as may seem good to him. He can leave the appurtenances thereof (the 'Grundstücke,' or parcels distributed in the three fields) to one heir or to many as he pleases. He may exchange them or give them away, or dispose of them in any and every legal way, without requiring any authorisation for such changes.

"This unlimited right of disposal has great and manifold advantages. It affords the safest and best means for preserving the proprietor from debt, and for keeping alive in him a lasting and lively interest in the improvement of his estate, and it raises the general standard of cultivation.

"The interest in the estate is kept alive by the freedom left to parents to divide their estate amongst their children as they think fit, knowing that the benefit of every improvement will be reaped by them."

Mr. Kay intended to explain in his subsequent letters on the Land Laws of Germany the limitations of devise actually imposed by the law of Prussia in favour of natural heirs, and the rare exceptions due to *Fidei commissa* and *Majorats*. He did not, however, consider these limitations and exceptions of such importance and extent as to interfere with the principle of free trade in land, which he has mentioned in several of his letters, as existing in the greater part of Germany, but he did not live to explain his views on this point. The Editor refers readers who are desirous of following out this subject to two authorities

which Mr. Kay had carefully studied:—The essay on “The Agrarian Legislation of Prussia during the Present Century,” by R. B. D. Morier, C.B., in the volume entitled “Systems of Land Tenure,” published by the Cobden Club ; and the “Reports from Her Majesty’s Representatives respecting the Tenure of Land in the several countries of Europe, 1869”—in particular to the Report of Mr. Harriss-Gastrell on Prussia, and that of Mr. Morier on Hesse-Darmstadt.

## LETTER X.

### *WITNESSES TO THE EFFECTS OF THE FRENCH LAND LAWS.*

*August 16, 1878.*

IN my last letter I tried to show how the French system of Land Laws, which divides a great part of a father's estate upon his death among his children, has operated in France, notwithstanding the ignorance of the peasantry. I stated that I thought that the system of *forced* subdivision was wrong; but I wished to show that even this system, with all its faults, promotes the prosperity, moral well-being, and happiness of the yeomen farmers and peasants better than our system of huge estates and long settlements. I said that I did this because the instance of France was always being brought forward, by ignorant opponents of free trade in land, as if it were an unanswerable argument against any reform of our feudal Land Laws, and as if no other system were possible. I reminded your readers that many of the best and most richly cultivated parts of Europe were cultivated under the French system of laws. I now propose to show what the highest and ablest authorities say of the effects of the French Land Laws in France, notwithstanding the great drawback of the want of education.

And first, let me cite some sentences from an extremely able and interesting letter on this subject, written by our great economist, Mr. Cobden, and published by his great ally, Mr. Bright, in the "Times," on the 7th January, 1873. Mr. Cobden says, "Nobody has, I believe, proposed that



we should adopt in England the French law of succession, but it pleases those who are the advocates of the Land Laws of this country to bring forward the peasant proprietor of France as a sort of 'Old Bogy' to frighten us into the love of our own feudal system. This compels those who desire any amelioration of the present system to meet them on their own ground. . . . Two questions are presented to us in connection with this subject. What are the moral and what are the economical effects produced by the division of the land of a country among its whole people? In France, Switzerland, Norway, Germany, Belgium, the Channel Islands, and in the United States, the land is, as a rule, the property of those who cultivate it. The same state of things prevails more or less, or is being rapidly developed, in Italy, Spain, Russia, Hungary, and other countries. England is the only great country where feudalism still rules the destinies of the land, and where the owners of the soil are constantly diminishing in number.

. . . Now, looking at the moral aspect of the question alone, no one will deny the advantages which the possession of landed property must confer upon a man, or a body of men—that it imparts a higher sense of independence and security, greater self-respect, and supplies stronger motives for industry, frugality, and forethought than any other kind of property. The question really is between owning land or possessing nothing; for in proclaiming that the whole class of agricultural labourers must for ever abandon the hope or ambition of becoming landowners, they are virtually told that they can never emerge from the condition of weekly labourers; for the tillers of the earth can, as a class, rise to wealth only by sharing in the possession of the soil."

Mr. Cobden then proceeds to show that these remarks apply to more than 1,000,000 farm labourers and their families in England and Wales alone, and he might also have added that they apply with nearly equal force to the dependent class of small farmers without leases, without

any security for their outlay, and without the stimulus to industry and self-denial which ownership almost invariably supplies.

Think what an incentive to saving, to frugality, to temperance, to self-denial, it must be to the French peasant to feel that, if he will only work, save, and defer his marriage, he may hope to buy at least a kitchen garden, or a field, or an orchard, whereby to eke out the maintenance of his family !

Mr. Cobden continues, "Upon the *moral* aspect of the question, there cannot be two opinions, and therefore it does not admit of controversy. On the Continent, the verdict on this view of the question is unanimously in favour of small landed properties ; and unless we in England are insincere in the arguments we address to the working classes to induce them to become depositors in savings banks, or to enter the ranks of distributors and producers by means of 'co-operation,' we shall also admit that to become a small freeholder would elevate the labouring man in the scale of society."

Mr. Cobden then goes on to state, what is certainly remarkably true, that the views in favour of the French system of Land Laws have been gaining ground in France during the last half century, until they have almost ceased to be a subject of controversy. And then he proceeds, "And surely, if any one circumstance be more calculated than another to impose a modest diffidence on even the most conservative of British critics, it is the high social and intellectual position of those Frenchmen who are the advocates of the system of peasant" (and he might have added of yeomen) "properties. This task is not left to the Red Republicans or to the ultra-Democrats. Men of exalted rank and birth, who might be excused for feeling some repugnance to a social organisation which has to a large extent been erected upon the ruins of their class—the descendants of those whose families were scattered or who perished on the scaffold during the Revolution—have been

among the most able and earnest champions of the present order of things. Thus M. de Tocqueville, writing in the confidence of private friendship, from the *château* in Normandy bearing his name, and surrounded by a body of peasant" (and yeomen) "proprietary, occupying the greater part of the ancestral domain of his family, yet speaks with hearty commendation of the changes. And the present state of things finds a defender in a venerable French nobleman, who is widely known and honoured in England for the purity of his character and his high intellectual endowments—the head of the ducal house of De Broglie" (an ancestor of the present advocate of *coups d'état* and electoral corruption). Mr. Cobden then forcibly points to the terrible causes which have during the last 70 years retarded the progress of French agriculture and made that progress so much less than it otherwise would have been—the millions of able-bodied labourers who have perished on the battle-fields; the ruinous invasions of the country by foreign armies; the sudden way in which the great Revolution threw the vast masses of lands which had belonged to the Church, the nobles, and the corporations, into the hands of an uneducated peasantry, who knew little or nothing of agriculture, and who had neither capital, nor manual labour, nor intelligence wherewith to cultivate their new possessions; and the enormous pecuniary exactions wrung from time to time by the foreign invaders from that wonderfully industrious, ingenious, and artistic people.

Let us remember that all these years our own country never saw the face of an invader.

"What wonder, then," asks Mr. Cobden, "if under such favourable circumstances England has outstripped her neighbour in the path of progress? Ought it not rather to excite our astonishment that in less than a century the peasantry of France could bear any comparison with our own in the enjoyment of the necessities and comforts of life? Yet so great were the recuperative forces in the rural population of France—arising, as is main-

tained by her highest authorities, from the general diffusion of landed property—that in less than a quarter of a century after the peace of 1815, the English pedestrian, Inglis, was enabled to pen this declaration: ‘With a tolerably intimate knowledge and distinct recollection of the lower orders in France, I assert that, upon the whole, the peasantry of France are the happiest peasantry of any country in Europe.’ . . . The result of a general study of all the best authorities is to show that there is a unanimity of opinion in favour of the French system, on moral grounds, as tending to elevate the character, promote the intelligence, and stimulate the industry of the peasantry. There is scarcely less agreement on the economical view expressed by M. Passy, that small properties, ‘after deducting the cost of production, yield, from a given surface and on equal conditions, the greatest net produce.’ Those ‘equal conditions’ can of course only be found by comparing corresponding specimens of the two systems. The advocates of the *petite culture*, while admitting that the average production of England exceeds that of France, contend that in Flanders, ‘the very birthplace of scientific farming,’ on the Rhine, in Guernsey, Switzerland, the North of France, and other parts, farms of 15 or 20 acres may be found cultivated by their proprietors, which yield a greater net produce than the same extent of surface on the best farms in England or Scotland. M. de Lavergne says that the proprietors of 15 acres ‘enjoy sometimes a real affluence.’ This is more than the average size of the separate farming properties in Guernsey and Jersey, where the populations are renowned for their comparative prosperity and happiness. As a proof that this division of property promotes the accumulation of wealth, without tending to the deterioration of the soil, it may be stated that farming land is worth nearly twice as much when let or sold in Guernsey as in England. It is contended, moreover, that at the present moment the peasant” (and yeomen) “proprietors are making more rapid progress in improvement than the ordinary renting

farmer without a lease, owing to the greater stimulus imparted by what Arthur Young designated the 'magic of property.' ”

So far our great free-trade leader and political economist ; and to Mr. Cobden's remarks on this subject may be added this observation : Go where you will through France, or through any of the countries where either the French system or free trade in land is in force, you universally notice the wonderful way in which every square yard of land is made use of. Instead of the tens of thousands of acres which are occupied by wide hedges and ditches in Great Britain and Ireland, you scarcely ever see a hedge or ditch in foreign countries, but all these tens of thousands of acres are levelled and under rich cultivation, like the rest of the land. Instead of the sides of the roads being marked out as with us by ditches, briars, thorns, and useless trees for thousands of miles in many parts of these countries, where property is so deeply respected, the roads are like great avenues, marked out on each side by some of the finest fruit-trees in the world, the property of those on whose land they stand. Instead of the liquid manures of the homestead and farmyard being allowed to run to waste, as is almost universally the case with us, and is the case even in the rich county where I dwell, in those countries every portion of both liquid and solid manure both from the farmyard and homestead is preserved with the utmost care, and returned at stated times to all the different divisions of the farm. And lastly, instead of every spare hour of the working man or small farmer being spent in the alehouse, as is too commonly the case with us, in these countries every spare hour of the yeoman farmer, the peasant farmer, or the labourer who owns a mere garden, is spent on the land, which is his own, developing its fertility, tending its vegetables and fruits, and studying how to increase the value of its produce. In fact, the difference between the position and character of the hopeless, landless labourer in our islands, and the labourers who possess a little land, and

who know that it depends on the exertions of themselves and their families whether they shall possess more or not, is so different, that it is hopeless to expect that those who have not studied the subject should believe or in any way realise it.

Let us now turn to the evidence of another most important witness on the effects of these French Land Laws, which, ere this, were to have turned that fair, rich country into "the greatest pauper warren in Europe." M. Passy was a peer of France under Louis Philippe, and afterwards filled the important position of Minister of Finance. He was also a "Membre de l'Institut," a distinction testifying to his countrymen's high opinion of his merits. Thirty years after Mr. M'Culloch's prophecy, M. Passy published a well-considered second edition of his celebrated work on the "Systems of Cultivation in France and their Influence on Social Economy." He was also a considerable landed proprietor, and ranked as one of the most distinguished political economists in France.

As Mr. Cobden says in his able letter, "It would be difficult to find a person combining higher qualifications for his task, and the result of his investigations is a decided preference, on economical, social, and moral grounds, of the French system to that of this country. He shows, as indeed all the accredited French authorities show, that the evils of the subdivision of land, as it is practically carried out in France, are much exaggerated, and indeed caricatured, by its opponents; that the enforced division of the property of a deceased parent among his children does not necessarily involve the partition of the land; that arrangements are often made by which one of the family takes the estate, paying to the co-heirs a compensation in money, or the whole is sold, and the proceeds are divided, and thus, as the Government statistics prove, the separate landed properties of France are not increasing in number, in proportion to the increase of the population—in short, that experience shows, as common sense might have foreseen,

that as men do not cut up their cloth or leather to waste, so neither will they, as a rule, subdivide that which is far more precious—the land—into useless fragments.”

M. Passy gives us the following deductions as the result of his investigations: “1. That in the present state of agricultural knowledge and practice it is the small farms (*la petite culture*)”—i.e., small farms *owned* by the farmers—“which, after deducting the cost of production, yield, from a given surface and on equal conditions, the greatest net produce; and 2. That the same system of cultivation, by maintaining a larger rural population, not only thereby adds to the strength of a State, but affords a better market for those commodities, the production and exchange of which stimulate the prosperity of the manufacturing districts.”

In stating the arguments in favour of the small yeomen and peasant proprietors, M. Passy says (see page 86, 2d edition): “They carry into the least details of their undertaking an attention and care which are productive of the most important advantages. There is not a corner of their land of which they do not know all the special qualities and capabilities, and to which they do not know how to give the peculiar treatment and care that it requires.” He compares the English counties of York, Durham, Cumberland, Lincoln, Northumberland, and Lancaster with the departments of Pas-de-Calais, La Somme, l’Oise, La Seine Inférieure, and a part of l’Aisne and l’Eure and some cantons of Seine-et-Oise, and he states that the net produce of the yeomen and peasant farms of the parts of France which I have mentioned is greater than the net produce of the farms in the English counties I have mentioned.

And when comparing the relative merits of great and small farms worked by their owners, he says (see page 131): “As to the idea so often put forward that the great farms contribute more than the small ones to the happiness of the populations who cultivate them, it hardly merits attention. The only difference between the two systems is, that in the one there are few masters and many day labourers,

while in the other there are more masters and fewer day labourers." And writing in 1852, M. Passy says (see page 201): "No doubt there is no European country in which, during the last 30 years, industry, favoured by the long duration of peace, has not developed itself in various ways; but no country has so much as France extended, perfected, or diversified the forms of its productive activity. If all the other countries have seen riches accumulating, France has seen her wealth accumulating still more. And it is easy to comprehend that such progress could not have been accomplished if agriculture had not lent her aid by a better and more fruitful employment of her resources."

Another great French writer ought not to be forgotten or passed over in reference to this subject. I refer to M. Gustave de Beaumont. He is an author of European reputation, and widely known for his liberal and truly philosophic views on subjects connected with political economy. In 1835 and in 1837 he visited Ireland, for the purpose of examining minutely into the condition of the Irish people and the causes of that condition. He was there during the time when my wife's father, Thomas Drummond, was endeavouring to introduce his great measures of reform. It is needless to say that M. de Beaumont received all possible assistance in his researches. The result of his labours was that he published a work, entitled "*L'Irlande Sociale, Politique, et Religieuse*," the fifth edition of which now lies before me, which laid bare to the eye of the world all the festering sores of Ireland's condition as with the knife of an anatomist, and which made a great sensation, not only in our own country, but also in Europe and America. M. de Beaumont had, up to the time of his last visit in 1837, and afterwards up to the publication of his fifth edition in 1842, observed and become intimately acquainted with the working of the French system of Land Laws and with the effects of the subdivision of the land in France. And although at that time the beneficial effects of such subdivision were not nearly so manifest as they are now, yet, let me ask, what



was one of the chief remedies which he pronounced in his judgment to be essential for the regeneration of Ireland—that miserably misgoverned country? “He reported,” as Mr. O’Hagan, Q.C., most truly says in his evidence before the Select Committee on the Irish Land Act, 1870 (see page 141), “in the strongest way in favour of the creation of peasant” (and yeomen) “proprieters as the real remedy for the evils of Ireland, and as the chief means of rendering the Irish a contented people. . . . He was of opinion that before that could be effected, the Land Laws, namely the laws of primogeniture and the laws permitting entails, should necessarily be repealed, and he advised the repeal of these laws as regards Ireland. He also advised that the Church lands should be sold to the tenants in fee.”

“Hasten,” says M. de Beaumont, “to render the land free to commerce ; divide, subdivide the land among actual owners of it as much as you can ; the only means of raising the lower classes of the Irish is by overturning an aristocracy which ought to fall ; the only means of reformation is to bring the land within the reach of the people ; it is necessary, above all things, that the people of Ireland should become proprietors.” (See “L’Irlande Sociale,” &c., tome deuxième, p. 200.)

Now, why do I cite these remarkable passages from this celebrated work ? I do it for this reason. It would have been impossible for M. de Beaumont to have expressed such opinions, or to have come to such conclusions, unless he had, after his intimate knowledge of his own country and of the working of the French Land Laws, come to the conviction that those laws were, by creating a vast class of yeomen and peasant farmers, working out the regeneration and vast prosperity of his own native land. He found poor Ireland “a pauper warren” *without* the influence of those laws, and he knew that his own country was rising far above such a miserable and degraded state of things as M’Culloch prophesied *by the influence* of those laws. But the most recent, and at the same time the highest, French testimony

remains to be cited. It is that of M. de Lavergne. He is well known, as Mr. Cobden said, "as one of the most accomplished, laborious, and conscientious writers on agriculture of the present age." He also is a Membre de l'Institut. He has published several justly-celebrated works on the agricultural and rural economy of Great Britain and Ireland and France. A fourth edition of his well-known work on the "*Economie Rurale de la France depuis 1789*" was published in 1877. In all his works he is the consistent, able, but discriminating advocate of the division of land as it exists in France, and as contrasted with the system which prevails in Great Britain and Ireland. He says (see "*Economie Rurale*," 4th edition, page 49): "The small proprietors of land, who, according to M. Rubichon, were about three millions and a half in 1815, are at this day much more numerous; they have gained ground, and one cannot but rejoice at it, for they have won it by their industry." And in a letter to Mr. Leslie on the 6th November, 1869, (see Mr. Leslie's article in "*Systems of Land Tenure in various Countries*," p. 292), M. de Lavergne says: "The best cultivation in France, on the whole, is that of the peasant proprietors, and the subdivision of the soil makes continual progress. Progress in both respects was, indeed, retarded for a succession of years after 1848 by political causes, but it has brilliantly resumed its course of late years. All round the town in which I write to you (Toulouse) it is again a profitable operation to buy land in order to resell it in small lots. . . . I have just spent a fortnight near Beziers. You could not believe what wealth the cultivation of the vine has spread through that country, and the peasantry have got no small share of it. *The market price of land has quadrupled in ten years.* But for the duty on property changing hands, and the still heavier burden of the conscription, the prosperity of the rural population of France would be great. It advances in spite of everything, in consequence of the high prices of agricultural produce."

Mr. Leslie shows that, whilst subdivision progresses, a

movement is also always going on in the land market towards the enlargement of small properties, the consolidation of small parcels, and even in some places towards the acquisition of what in France are considered as large estates. The continuous acquisitions of land by purchase by the French yeomen, peasant, and labouring classes is indeed one of the best proofs of their social and moral wellbeing, and of the admirable effects of the division of the land upon them.

In another celebrated work, "The Rural Economy of Great Britain," M. de Lavergne says (I quote now from Mr. Leslie's essay, page 293): "The extent of farms, besides, is determined by other causes, such as the nature of the soil, the climate, and the kinds of crops prevailing. Almost everywhere the soil of France may be made to respond to the labour of man, and almost everywhere it is for the advantage of the community that manual labour should be actively bestowed upon it. Let us suppose ourselves in the rich plains of Flanders, or on the banks of the Rhone, the Garonne, or the Charente. We there meet with the *petite culture*, but it is rich and productive. Every method for increasing the fruitfulness of the soil and making the most of labour is there known and practised, even amongst the smallest farmers. Notwithstanding the active properties of the soil, the people are constantly renewing and adding to its fertility by means of quantities of manure, collected at great cost; the breed of animals is superior, and the harvests magnificent. In one district we find maize and wheat; in another, tobacco, flax, rape, and madder; then again, the vine, olive, plum, and mulberry, which to yield their abundant treasures require a people of laborious habits. Is it not also to small farming that we owe most of the market-garden produce raised at such great expenditure round Paris?"

And then, writing of the cottages of the small peasant farmers, M. de Lavergne goes on to say (I still quote from Mr. Leslie): "There is nothing so delightful as the interior

of these humble cottages ; so clean and orderly, the very air about them breathes peace, industry, and happiness ; and it is pleasing to think that they are not likely to be done away with," or, as M. de Lavergne might have added, that any great landlord could evict the tenants, as the cottages as well as the farm belong to the inhabitants.

And speaking of the interior of the houses of the small peasant farmers, Mr. Hamerton, in his most interesting work "Round my House" (page 235), says : "In the furniture of their houses the peasants are equally regulated by fixed usages. The cabinetmaker's work is always of walnut, and nearly of the same design. The bed, the linen-press, and the clock are the three items to which most care is given. Sometimes you will find two beds, two linen-presses, and two clocks in the same room, one set belonging to the parents, the other to a married son. The women are proud of their linen-presses, which are prettily panelled, and they rub the panels till they shine."

The amount of debt on the peasant properties of France has been enormously exaggerated. M. de Lavergne estimated it at five per cent. on an average of their total value ; and Mr. Leslie (in his Essay, p. 298), says : "The marked improvement in the food, clothing, lodging, and appearance of the whole rural population is of itself unmistakable evidence that they are not an impoverished class, but, on the contrary, are rapidly rising in the economic and social scale."

That this must be so is shown still more clearly by the statistics published by M. de Lavergne. He estimates the increase in the yield of wheat in the 25 years preceding 1851 at 7,000,000 quarters. In 1850 he says the gross money yield would reach £44,000,000 ; in 1876, £58,000,000. He says that in 1850, the produce of wine was less than 900,000,000 gallons and the price only 5*d.* per gallon, and that the produce is now (that is in 1876) over 1,000,000,000 gals. and the price is 10*d.* per gal. He says that milk has increased in about the same proportion

as wine ; and that butter is also made more largely, and that beetroot has progressed with enormous strides. He says finally, that, taking agricultural progress as a whole, the £200,000,000 of twenty-five years ago are now £300,000,000, in spite of the loss of Alsace and Lorraine, but that much of this increase is due to the opening of new railways, and improved means of transport. (See Richardson's "Corn and Cattle Producing Districts of France," p. 522.)

But still it must be borne in mind that the very opening of these new modes of communication, especially after the fearful disasters and losses of France and the tremendous taxation, is a marvellous proof of the rapidly growing wealth and resources of that country, and a wonderful refutation of M'Culloch's dismal prophecy.

I shall have to return again to this important subject.

## LETTER XI.

*EVEN THE FRENCH SYSTEM PROMOTES THE PROSPERITY AND HAPPINESS OF THE RURAL POPULATION.*

*August 26, 1878.*

IN my Letters No. IX. and No. X. I have endeavoured to explain, as simply as I could, what the French system of Land Laws is, and what effect this system is producing in France upon the yeomen and peasant farmers of that country. I am most anxious that it should not be supposed for a moment that I am arguing in favour of our adopting the French system of compulsory subdivision; but so many absurd statements have been made in this country about the ruinous effects of that system, for the purpose of throwing obstacles in the way of the reform of our own feudal Land Laws—as if there were no intermediate system of Land Laws between the French and our own—that I wish to prove by the highest authorities that even the French system, instead of promoting the ruin or impoverishment of the countries in which it prevails, and spite of the ignorance of the French yeomen and peasant farmers, is rapidly increasing the wealth of the country, promoting the moral and economical prosperity and happiness of the farming and rural classes, and, by establishing the contentment of these classes, is at the same time increasing the stability of the Government.

This is the reason why I return in this letter to the consideration of the opinions of eminent men upon this most important part of my subject. The elevated character

and eminent position of the French advocates of the French system seem to have had their effect on the conservative and philosophical mind of Dr. Chalmers, who visited France in 1838, imbued with M'Culloch's predilections against the division of landed property. "Dr. Chalmers records in his diary" (see Mr. Cobden's letters), "which has been published since his death, the conversations he had on this subject with men of the highest social and political position, whom he describes as 'intelligent and truly Conservative.' One of them, François Delessert, member of the Chamber of Deputies, a Parisian merchant, tells him that he 'apprehends no harm from the subdivision of property, speaks of the checks to it, says that it is greatly overrated, and that family arrangements often prevent it.'" Dr. Chalmers also says that the then Duke de Broglie made a very able defence of French Land Law.

A few years after 1838, the agricultural districts of France were visited by Mr. Coleman, Professor of Agriculture in Massachusetts. He was sent by that State on a special mission to report on the condition of agriculture in Europe. He was therefore eminently qualified to form a sound and valuable opinion on this subject. It would be difficult to find a witness more deserving of attention. He says—I quote from Mr. Cobden's most able letter:—

"At first I thought I should find nothing in French agriculture worthy of much attention, but my opinion has undergone a change, and I begin to think their agriculture not only good, but advanced. They do not grow the same productions as in England; their work is not executed in so neat a manner; their implements are primitive and somewhat rude; their neat stock is less improved, and indeed the whole system is different; but I am disposed to believe that their farming is more economical, and that, taken as a whole, the condition of the labouring classes is superior to that of the English . . . I have never seen a more civil, clean, well-dressed, happy set of people than the French peasantry, with scarcely an exception, and they

contrast most strongly in this respect with the English and Scotch. I seldom went among a field of labourers in England or Scotland, especially if they were women, without some coarse joke or indecent leer. It is the reverse in France. The address even of the poorest (I do not at all exaggerate) is as polite as that of the best people you find in a city ; so far from soliciting money, they have refused it in repeated instances when, for some little service, I have offered some compensation. Count de Gourcy told me again and again that even the most humble of them would consider it an offence to have it offered them. I do not believe there ever was a happier peasantry than the French, and they are pre-eminent for their industry and economy."

Is it possible to offer much higher praise than this of the effects of the French system, and is it possible to find a witness more thoroughly competent and trustworthy to give it? It must be remembered that Mr. Coleman was writing about 1842. Since that time the yeomen and peasant farmers of the Continent have vastly improved their modes of culture, their knowledge of agriculture, and the amount of produce they win from the soil. And since he wrote in 1842 of the primitive and somewhat rude implements of the small proprietors, they have been learning gradually, over the whole of these countries, how to avail themselves, by co-operation and association, of expensive machines and mechanical contrivances similar to those employed in England and Scotland by the great leasehold farmers. With respect to this, Mr. Cliffe Leslie, who has studied the French system and who is personally acquainted with France, gives some very interesting and valuable evidence in his essay on France published in "Systems of Land Tenure in various Countries," (p. 302). The passage is well worthy of perusal and study for many reasons, as the reader will perceive. He says: "In the departments immediately surrounding Paris, large farming is to be seen in the highest perfection, of which the reader, who has not visited them, will find a description in M. de Lavergne's



‘Economie Rurale de la France.’ Yet, after noticing several magnificent examples, he adds—‘While *la grande culture* (*i.e.*, farming on a great scale) marches here in the steps of English cultivation, *la petite* (*i.e.*, farming on a small scale by the owners themselves) develops itself by its side and surpasses it in results.’ The truth is, as we have said, that the large and the small farming (*i.e.* by the owner of the farm) compete on fair terms in France, which they are not allowed to do in England, and the latter has, to begin with, a large and ever-increasing domain, within which it can defy the competition of the former. The large farmer’s steam engine cannot enter the vineyard, the orchard, or the garden. The steep mountain side is inaccessible to him, while the small farmer can clothe it with vineyards; and the deep glen is too circumscribed for him. In the fertile alluvial valley, like that of the Loire, the garden of France, his cultivation is not sufficiently minute to make the most of such precious ground, and the little cultivator outbids him, and drives him from the garden; while, on the other hand, he is ruined by attempts to reclaim intractable wastes, which his small rival converts into land of superior quality. Even where mechanical art seems to summon the most potent forces of nature to the large farmer’s assistance, the peasant contrives in the end to procure the same allies by association; or individual enterprise finds it profitable to come to his aid. It is a striking instance of the tendency of *la petite culture* to avail itself of mechanical power, that the latest agricultural statistics show a larger number of reaping and mowing machines in the Bas Rhin, where *la petite culture* is carried to the utmost, than in any other department. Explorers of the rural districts of France cannot fail to have remarked that *la petite culture* has created in recent years two new subsidiary industries, in the machine maker on the one hand and the *entrepreneur* on the other, who hires out the machine; and one is now constantly met, even in small towns and villages, old-fashioned and stagnant-looking in other respects, by the

apparition and noise of machines of which the large farmer has not long been possessed."

Mr. Richardson, who in 1878 published a long and elaborate work, entitled "The Corn and Cattle producing Districts of France," and full of the most interesting details collected by himself in his travels through France, says (see p. 400): "The use of machinery is becoming more general; threshing machines have long been in use, and in the arrondissement of Melun (250,000 acres) there were, in 1873, seventy reaping and twenty-five mowing machines. The number has increased rapidly since then. It is becoming the practice of the smaller farmers to engage with the larger ones for the hire of implements, and also for them to club together for the purchase of horses and utensils, thus forming a kind of agricultural association. . . . Steam power in doing field-work is not at present in much use, but it is making progress. . . . M. Decanville is making steam ploughs at his iron works, suitable for French farms, less expensive than those of English workmanship."

Another charge is brought against the French system of compulsory subdivision, viz., that it necessarily forces the division of the farms to such an extent that it becomes impossible to farm the small divided plots with any advantage. That this is the case in some instances I do not deny, where the proprietors are wanting in intelligence, or where family disputes occur; but what I do deny is that this is the necessary or usual consequence of these laws.

In many parts of Switzerland, the small landowner farmer, with his 10, 20, or 30 acres, has a roomy, substantial, comfortable Swiss cottage built on his land, generally surrounded by his kitchen garden, where he raises his fruits, vegetables, and a few flowers. About 100 yards from his cottage stands the cow and goat shed, a thoroughly substantial building, constructed of pine logs fitted together in the ingenious and strong Swiss style. The interior of this has a boarded floor slanting from each side towards the middle, where there is a wooden drain or channel, by which every

drop of liquid manure is conveyed away to the receiving tank. Above the shed there is a large loft, where the hay and dried leaves are stowed for the winter provision of the cows and goats. I have constantly taken shelter in these sheds, and admired their cleanliness and their comfortable accommodation for the small farmers' cattle. Now the farm, with this house and farmstead, does not really divide among the children, spite of all that law may say. The children make their own arrangements, one paying off the others, either at once or by degrees, and the others going to service, to the towns, or to other pursuits. But the Swiss, be it remembered, have been long well educated, and are thoroughly intelligent.

Let us, however, turn to another set of intelligent and educated class of small yeomen farmers, owning their own farms, and subject to the French system of Land Laws ; I mean the so-called "*bonder*" of Norway. And here I quote from Mr. Thornton's admirable work, "A Plea for Peasant Proprietors," (second edition, p. 82). He says: "The *bonder* of Norway, for instance, have from time immemorial been owners of their respective farms, which, moreover, have always been legally liable to division among all the children of a deceased proprietor ; yet the division of land has made so little progress in the course of many centuries that very few estates are under forty acres, and very many are above three hundred acres, independently of an extensive tract of mountain pasture belonging to every farm. Some idea of the condition of the farmers may be formed from the following particulars respecting the farm servants. These, if unmarried, are lodged in an outhouse adjoining their master's dwelling, which it resembles in appearance, neatness, and comfort ; they are allowed four meals a day, consisting of oat or bean meal, rye bread, potatoes, fresh river and salt fish, cheese, butter, and milk ; and once or twice a week they have meat, sometimes fresh, but more frequently in the shape of salt beef, or black puddings. At one of their meals they have also beer, or

a glass of potato spirits. Their money wages, in addition to all this, are about  $4\frac{1}{2}d.$  a day. A married labourer lives on the outskirts of the farm in a cottage of his own, generally a good loghouse of four rooms, with glass windows, which is held on lease for the lives of himself and his wife, together with a piece of land large enough for the keep of two cows or a corresponding number of sheep and goats, and for the sowing of six bushels of corn and three quarters of potatoes. . . . It need scarcely be said that a houseman, as a married labourer of this kind is called, is in a very comfortable situation ; in fact, he wants few if any of the comforts which his master possesses ; his house, though smaller, is as well built ; his food and dress are of the same materials. The peasant proprietors, like their servants, are satisfied with articles of home growth, and are little desirous of foreign luxuries. They build their own houses, make their own chairs, tables, ploughs, carts, and harness. Their wives spin their own flax and wool, and weave their own linen and woollen cloth ; almost everything they use is the produce of their own farms, except glass, pottery, ironware, sugar, coffee, spices, and tobacco." After showing that, if the Norwegian farmer's family did not employ themselves through their long winters in making the articles mentioned, a great part of their time would be wasted, instead of being, as now, most profitably employed, Mr. Thornton continues : "Although the mode of life of the Norwegian country people may be somewhat rude, it would be difficult to find a happier race ; they enjoy plenty and are content ; they care little for outward show, and are exempt from the painful desire to outvie their neighbours, which makes many wretched in the midst of wealth."

But the fact which I am most desirous of impressing on my readers' attention in this interesting passage is, that the Norwegian farms, although subjected to the same laws as those of France, *do not subdivide in any extreme or inexpedient manner*. And it is probable that this will also be the case in France, as education advances among the peasant classes

of that highly-gifted people. But before passing away from the objection that the French system of compulsory subdivision on the death of an owner necessarily leads to excessive subdivision and to inconveniently small properties, it is necessary to bear in mind a fact to which I have already alluded, but which cannot be too earnestly impressed on the attention of my readers. It is this: The average size of the actual farms, properly so called, cultivated and farmed by their owners, is lessened and unfairly represented in many of the calculations published on this subject, by adding to the number of these actual farms, the little kitchen gardens, the small orchards, the little fields for the keep of a cow or a donkey, which belong to peasants who do not pretend to be farmers, but who are in reality only day labourers or operatives, who live in their own cottages, and who have purchased their gardens, orchards, or fields to add to the comfort and maintenance of their families, and then calculating the average size of the real farms on the total number of the actual owners of farms, and also on the owners of the gardens, orchards, and fields. In all these countries it is a common thing in the manufacturing districts for a mechanic, or an operative, or a mere day labourer to *own* a good kitchen garden or a good orchard, in which he works and employs himself in the evenings. These are the freeholds of these men, purchased by themselves, cultivated by themselves, and adding to the comforts of their families and to their own happiness. And need I say that many a man is by this possession of property of his own often kept from drink, and the drinking shop, because he wants to invest all he can spare in the improvement of his own garden or orchard? He would have far less interest in their prosperity if they belonged to a landlord, who might resume them any day. It is ridiculous to reckon these classes of owners among the agricultural owners.

I have written so far from my own personal knowledge and observations in these countries; but let me confirm my evidence by an interesting passage from Mr. Thornton's

"Plea for Peasant Proprietors," (second edition, p. 85). He says, speaking of the Swiss, who have almost universally the French system of Land Laws: "The peasantry, although almost universally landed proprietors, may be divided into two classes—those who are principally or exclusively agriculturists, and those who gain a livelihood chiefly by manufacturing industry. The farms of the former, except in the cantons of Berne and Tessin and a few other districts, seldom exceed forty or fifty acres, but they are as rarely of less size than ten acres, and the poorest farmers, having rights of pasturage on the common lands belonging to every parish," (or, as he might have said, on the often very extensive and rich mountain pasturages which belong to most parishes), "can afford to keep two or three cows. Members of this class are always in the enjoyment of competence, and many of them possess considerable wealth. Besides these, however, there is a more numerous body of smaller proprietors, whose territorial possessions consist only of a field or two, altogether not larger than an ordinary garden, and much too small for the maintenance of the family to which they belong. . . . The owners of these patches are almost invariably manufacturers rather than husbandmen. . . . In England the makers of these articles" (the manufacturers of Switzerland) "would have been pent up in towns, and compelled to pass their days in close dismal factories; but in Switzerland a happy combination of circumstances permits them to practise their business without forfeiting the use of fresh air or the other advantages of a country life. . . . They gain their living principally as manufacturers; land is valued by them as affording a means not so much of employment as of amusement" (and, as Mr. Thornton might have added, of adding to the comforts of their families); "and they require no more of it than will suffice to occupy their leisure. . . . In the outskirts of one or two English towns patches of garden ground are rented by a few operatives. . . . The difference between such operatives and those of Switzerland is that the latter, besides possessing

more land, and besides being owners instead of mere renters, are not confined to towns, but are spread over the whole country, and have their fields and gardens adjoining their dwellings. They are manufacturers, deriving from land a small addition to their principal occupation. . . . 'I am acquainted,' says Dr. Bowring, 'with no country in which prosperity has descended so low, and spread so widely, as among the laborious classes of the Swiss manufacturing districts. I was surprised to find what large proportions of them had by their savings acquired landed property; how many of them dwelt in houses and cultivated fields and gardens, which their industry had made their own. . . . Everywhere, indeed, where the operatives are settled I found in their habitations a mass of enjoyments, such as are possessed by few of similar station in other countries.' (See Bowring's 'Report on Commerce and Manufactures of Switzerland,' pp. 3-6.) A weaver in Argovia (one of the Swiss cantons), says Mr. Symons, 'is almost universally the proprietor, or the son of a proprietor of land, and few householders are there in the whole canton who do not keep a pig, and generally a few sheep. Their cottages are strewn over the hills and dales, and exhibit in the interior every degree of comfort and ease. . . . The cottages of St. Gall and Appenzel (two Swiss cantons) are scattered separately over the vales and hills, each standing in the midst of its little estate, with the goats or sheep, with their melodious bells around their necks, grazing on the land, which is generally pasture. The interiors of the cottages, which are built of wood, are cleanly beyond description, and are well furnished with every article of cottage comfort,' (see his 'Report on Swiss Handloom Weavers,' *passim*)." So far Mr. Thornton. I quote him to show how absurd it is to reckon this class of small land-owners with the agricultural farming landowners in order to reduce the general average of the size of farms properly so called, and which are cultivated by the owners themselves. I cannot leave the notice of Switzerland, which this part of

my subject has forced upon me, without quoting a sentence from Mr. Laing's "Notes of a Traveller" (p. 354); and all the more so because he is the cold and very cautious critic of the French system of Land Laws which prevails in Switzerland. He says: "The peculiar feature in the condition of the Swiss population—the great charm of Switzerland, next to its natural scenery—is the air of well-being, the neatness, the sense of property imprinted on the people, their dwellings, and their plots of land. The spirit of the proprietor is not to be mistaken in all that one sees."

The above remarks I well know, from my own personal observations during many visits to that country since 1843, are singularly true. I was living in 1876 for six weeks among a community of these Swiss proprietors and farmers, on a rich slope of the mountains above the Lake of Thun. On the vast slopes of these mountains, within six miles of where I was residing, there were three communes or parishes, composed of many homesteads and many farms. Each parish had its excellent school and its trained and certificated teacher. Each of these parishes had vast tracts of common pasture grounds on the higher parts of the mountains. On these common pastures, at different heights up the mountains, as far as the pastures extend, large wooden cowsheds are built. As the snow melts, the cattle of the whole parish are driven by a certain number of experienced herdsmen up the mountains, first to one great cowshed and its pastures, and then later on, as the snow melts, to another still higher, until they attain an altitude of some 6000 feet above the sea. Each evening the herdsmen bring them to the shed, milk them, churn the butter, make cheese, carefully collect the solid and liquid manure, and then men employed for the purpose from time to time carry down the produce and sell it in the valleys below. In October, when the cattle have returned to the homesteads, driven down by degrees by the snow from one pasture ground to another, the produce of the season is divided among the farmers of the parish, according to the amount of their land and the



number of their cattle. After this has been done, each farmer puts his cows into their winter quarters, and the manure is carefully brought down from the cowsheds to the parish and its farmers. This is effected by carrying it in large wooden tubs or cases, slung on the backs of porters. I have myself seen all these operations. But what I particularly want to observe is that in this beautiful land (which ought to be a "pauper warren" according to the English prophet, as it is governed by the French laws) these parishes, with their rich meadows, from which, by means of manure, two crops of hay are annually obtained, with their fruit trees, their picturesque cottages surrounded by their kitchen gardens, their picturesque winter cowsheds, and the general look of wellbeing and comfort which prevailed, formed one of the most prosperous, happy, and beautiful scenes imaginable.

But travellers go and see the men and women working in their everyday—carefully and decently patched and mended—workday clothes; the travellers are there in the summer months, when the children are not in the schools, but helping in little ways in the fields, in old patched workday clothes, and often without shoes and stockings, their tidy garments being put away for Sundays and schooltime, when they must appear clean and neat; and these intelligent travellers return home with the most piteous accounts of the pauperism and misery which they had observed in Switzerland, not troubling themselves to notice the same people on Sundays, when you may meet the whole family in neat, unpatched clothes, often made out of an excellent home-spun material, with clean and comfortable linen, and the women with their silver chains or cantonal costumes. I have often stopped to chat with them, and said to myself, "What a contrast to an English labourer's family, on the same good day of rest! Are these the people who are being ruined by the French system of compulsory subdivision?"

I shall conclude this letter by a passage I shall quote from Mr. Thornton's "*Plea*," &c., (p. 147, second edition).

He says: "Taking a comprehensive view of France, we have seen that the number of landed proprietors has long remained nearly stationary; that cultivators deriving a livelihood from their own fields have, in general, land enough for their maintenance in comfort; and that the condition of the peasantry and labouring classes has for many years been steadily improving."

In my next letter I hope to describe how the same or nearly the same laws as the French have operated in Jersey and Guernsey.

## LETTER XII.

### *THE CHANNEL ISLANDS.*

*September 8, 1878.*

IN my Letters, Nos. IX., X., and XI., I have tried to explain the effects of the French system of Land Laws upon the yeomen and peasant farmers, not because I was in favour of those laws, but in order to show that those laws which are in force in France, Norway, Holland, the Rhine provinces of Germany, most of the cantons of Switzerland, and a great part of Italy, were not causing the evils which the enemies of all reform of our laws were industriously, and I hope ignorantly, charging upon them.

On the one hand, these laws enable the large and small farmers to buy farms of their own, while they also enable the mechanic and the day labourer to buy their cottage, garden, orchard, or field, and to look forward with hope to becoming greater proprietors; while our Land Laws, by tying up the land in estates of 1,300,000, 400,000, 200,000, 100,000, and 50,000 acres, deprive the small farmers, the peasants, and the mechanics of all chance of buying either farm, field, garden, or orchard.

On the mere statement of these facts, which are only too painfully notorious, and which are shown in detail in Letter No. I., which system, let me ask, is the most likely to promote the happiness and virtue of the people?

In this letter I propose (1), to answer another objection to the French system; and (2), to show what results the French system of Land Laws has produced in Jersey and Guernsey, a part actually of our own territory.

It is constantly urged in this country by opponents to reform of the Land Laws, and by men who ought to know better, if indeed they have ever given a serious thought to the subject, that the system of free trade in land would never succeed in our country, on account of our changeable, cold, and uncertain climate, and that therefore it is better to tie up the land in estates of one million and four hundred thousand acres, and to farm them by tenants, who generally have not even the security of a lease. The objection has been urged over and over again, and even before a late committee of the House of Commons. But what are the facts? In the short summers and long severe winters of Norway; in Holland, with its fogs and long winters; in Northern France, with a climate very similar to our own; in Southern France, with its sunny and hot climate; in the plains of Switzerland, with their short but hot summers; in the mountain cantons, with their severe winters and short summers; in Italy, with its hot climate; in the cold climate of Northern Germany, with its severe winters; in the hot climate of Southern Germany; on the banks of the Rhine, with its splendid vineyards and orchards; in the Channel Islands, with a climate scarcely warmer than Devonshire; in fact, everywhere where free trade in land, or the French system, is being tried over the whole face of Europe, these laws are promoting the welfare, the happiness, and the morality of the people.

When the blessing of the abolition of the feudal laws has been once conferred, no Government, whatever its political tendencies, has been found strong enough, or courageous enough, to attempt to repeal the new system of laws; and struggle as the landowners of our empire may, no sooner will the people understand the character and effects of our own Land Laws, than the day for their complete abolition will have come.

But let us turn to a portion of our own empire, which, strange to say, has for a long series of years enjoyed, spite of English landowners, a system of Land Laws almost pre-

cisely similar to the French system, and let us see how it works there. I refer to the Channel Islands. And certainly the first observation which strikes one is this: if the system of laws produces as many evils as the English landowners and their friends allege, why do not they, the most powerful party in this country, release the Islanders from the tyranny of these laws? The answer is here just the same as everywhere else: the people of the Channel Islands are satisfied with them, are wonderfully prosperous under and in consequence of them, as I will show, and no change could be effected in them, except at the cost of a rebellion in the Islands; and consequently the English landowners are compelled to endure the spectacle of a people, forming part of our own empire and close to our own shores, flourishing in an extraordinary way, by what is refused to our people here, viz., the abolition of the feudal Land Laws.

For nearly all the statistics and facts I am going to give about the Channel Islands, I am indebted to a work I have often quoted, "*A Plea for Peasant Proprietors*," by William Thomas Thornton, C.B., and to a very interesting article by an experienced traveller and an able writer, the Rev. F. B. Zincke, contained in the "*Fortnightly Review*," (No. CIX., New Series, January 1, 1876).

Both these gentlemen speak from their own personal and recent researches in the Islands, and I need hardly say both are witnesses above all suspicion.

Now it appears that the Land Laws of Guernsey require land to be divided among all the children of the last owner, daughters as well as sons, though they treat the latter in general more liberally than the former, and permit the eldest son, besides sharing with his brothers, to take in addition his father's principal dwelling-house and about sixteen perches of ground adjoining it.

The law in Jersey slightly differs from that in Guernsey. In Jersey, the Land Law permits the eldest son not only to take the dwelling-house and the curtilage, and a small portion of his own selection, equal to a little more than

two English acres, but, in addition, one-tenth in value of the remainder of the property. He takes, besides this, a small portion of land *pour les mousquets*, that is, nominally to enable him to furnish his contribution to an ancient assessment for the militia. This contribution is, however, never exacted, as the War Department supplies the militia with rifles.

The rest of the property is then divided amongst all the children, including the eldest son, in the proportion of two-thirds among the sons and one-third among the daughters, but with this qualification, that no daughter shall take a greater share than a younger son. (See "Succession Laws of Christian Countries," by Eyre Lloyd, barrister-at-law; page 57.) So that it will be seen from the above statement that the Channel Islands have a law of compulsory subdivision very similar to that of France, but modified by some advantages in favour of the eldest son. But then it must be borne in mind that the French law permits the father to dispose by will, either to his eldest son or to any other person, of a certain defined portion of his estate, so that the Land Law of the Channel Islands will be found to be substantially similar to that of France, and to be open to all the objections so constantly brought against the much calumniated law of the latter country by our own naturally well-satisfied landowners. Let us see how this obnoxious law operates in the Channel Islands. We have already shown what results it has produced in other countries.

But first let me state in the following table what the area and the population of the principal islands were in 1861.

Name.	Acreage capable of cultivation.	Population.
Jersey . . . . .	25,000	56,078
Guernsey . . . . .	10,000	29,780
Alderney . . . . .	1500	4933
Sark . . . . .	600	600

Mr. Zincke says, that the largest proprietors of land capable of cultivation own only about 100 acres in Jersey

and about 50 acres in Guernsey. Mr. Thornton says that, whereas in England 30s. an acre would be thought a fair, and indeed rather a high, rent for middling land, it is only inferior land that in Guernsey and Jersey will not let for at least £4; while in Switzerland the average rent is £6 an acre. And indeed, according to Mr. Le Quesne, in his "*Ireland and the Channel Islands*" (p. 123), the average rent of good land in the Channel Islands may be estimated at £6 an acre.

There are, of course, in the Islands, and especially in Alderney, as in France and Switzerland, many small properties which are much smaller than the size I have mentioned, and which do not exceed one or two or five acres in extent. But the same remark applies to these, as to the similar plots in France and Switzerland. They are generally not farms. Their owners do not pretend to be farmers. Some of these plots are the kitchen gardens of shopkeepers in the towns. Some are the small plots or fields of cottagers, who earn their living by day labour. Some are the gardens of market gardeners, who now carry on a large trade with London in early vegetables, &c.

And such is the enterprise and intelligence of these small proprietors and gardeners, that they have—small as their population is, and small as their resources would be expected to be, by those who expect to find countries where land is much subdivided to be mere "pauper warrens,"—established a large trade with London in early vegetables, potatoes, grapes, apples, and pears. In 1873, as Mr. Zincke informs us, Jersey sent to London £300,000 worth of early potatoes, and Guernsey fifty tons of grapes grown under glass, an article of export, the amount of which increases every year. And as Mr. Zincke most truly adds, "without the division of the land, which obtains throughout these islands, these astonishing results could not have been produced. The temporary occupiers of other men's lands cannot plant orchards or build vineries; and as to the potatoes, which must be forced into maturity by the middle

of May, the culture they require is so costly—it amounts to about £40 an acre—that, as a general rule, it will not be applied on a large scale, or to land of which the cultivator is not also the owner.” And this enterprise and intelligence of these small proprietors is shown in other remarkable facts. Guernsey contains only 10,000 cultivable acres in its whole extent—an amount of land which would in Great Britain and Ireland only constitute a respectable medium-sized estate—and yet this small island, with no large town, and only its yeomen and peasant farmers, is now spending £16,000 in building a covered market for vegetables and fruit. It has also, Mr. Zincke informs us, lately carried a broad street across the town of St. Peter’s Port, from the harbour to the heights above the town, at a cost of £10,000.

But the great glory of this little island is its noble harbour, upon which it has from the resources of its inhabitants recently expended £285,000. Of this, at the time of Mr. Zincke’s visit, 1875, £65,000 had been paid off, and the remainder of the outlay was being cleared off at the rate of £1500 a year.

“No one,” Mr. Zincke says, “can see without surprise the massiveness of the enclosing walls of the harbour, and the amplitude of space on the top of them for quays, carriage roads, and footways.”

Jersey, too, it appears, is constructing a new harbour in deeper water, for the accommodation of larger ships, as their old harbour was found too shallow. So much for the enterprise of these “pauper warrens.”

Take another test of the prosperity of the two principal Channel Islands. Mr. Thornton says (“Plea,” &c., page 40): “The agricultural population is more than four times as dense as in England, there being in the latter country only one cultivator to 17 acres of cultivated land, while in Guernsey and Jersey there is one to about four. Yet the agriculture of these islands maintains, besides cultivators, non-agricultural populations, respectively twice and



four times as dense as that of England. The difference does not arise from any superiority of soil or climate possessed by the Channel Islands, for the former is naturally rather poor, and the latter is not better than in the southern counties of England. It is owing entirely to the assiduous care of the farmers and the abundant use of manure."

Mr. Brock, a late bailiff of Guernsey, and therefore a person who ought to be competent to express an opinion on such a subject, says: "There are larger estates in England than the whole of this island." Mr. Brock might have said that there is one estate in England 20 times as large as the whole of this island, and several 10 and 15 times as great; and one in Scotland 130 times as great! Mr. Brock continues: "Let the production of the island be compared to that of any 10,000 acres kept in one, two, or three hands in Great Britain, and the advantage of small farms will be obvious." (*"Guernsey and Jersey Magazine,"* October 1837, p. 258; Thornton's *"Plea,"* p. 41.)

But let us inquire what the condition of the yeomen farmers and small owners is. I shall again cite Mr. Thornton, who has both examined for himself and who has examined the best authorities. "The happiest community," says Mr. Hill, "which it has ever been my lot to fall in with, is to be found in this little Island of Guernsey." (*"Tait's Magazine"* for June 1834.) "No matter," says Sir George Head, "to what point the traveller may choose to bend his way, comfort everywhere prevails," (*"Home Tour through various Parts of the United Kingdom"*); and then Mr. Thornton gives the results of his own observations in the following remarkable passage:—

"What most surprises the English visitor in his first walk or drive beyond the bounds of St. Peter's Port is the appearance of the habitations with which the landscape is thickly studded. Many of them are such as in his own country would belong to persons of middle rank; but he is puzzled to guess what sort of people live in the others, which, though in general not large enough for farmers, are almost invariably

much too good in every respect for day labourers. The walls are often completely hidden by rose trees, geraniums, and myrtles, which reach up to the ledge of the roof, and form an arch over the door. Every window is crowded with pots of choice flowers, which are sometimes to be found also in the little front garden, though the latter is more commonly given up to useful than to ornamental plants. Such attention to elegance about a dwelling has always been held to signify that the inmates are not absorbed by the cares of life, but have leisure and taste for its enjoyments. But beauty is not the only nor the chief recommendation of the Guernsey cottages. They are always substantially built of stone, and being generally of two storeys, contain plenty of accommodation. The interior is not unworthy of the exterior. In every room, pulley windows, with large squares of glass, take the place of leaded casements with diamond-shaped panes; equal attention is paid to comfort and to neatness in the fitting up; there is abundance of all needful furniture, and of crockery and kitchen utensils; and fitches of bacon, those best ornaments of a poor man's chimney, are scarcely ever wanting. This picture is not drawn from one or two select models, but is a fair representation of the generality of the dwellings of the peasantry. Literally, in the whole island, with the exception of a few fishermen's huts, there is not one so mean as to be likened to the ordinary habitation of an English farm labourer. . . . The people of Guernsey are as well clad as lodged. The working dress of the men, who wear a short blue frock over their other clothes" [a similar dress to that worn by the Swiss, French, and many of the German farmers and peasants, which washes easily and well, and which keeps the under garments clean, but which is so short as not to interfere with the free action of the limbs], "is not indeed very becoming, but is never ragged; and on Sundays they don a suit of broadcloth, while their wives and daughters make an equal display of the outward symbols of respectability.

"What makes the evident affluence of these islanders a

still more gratifying spectacle is its almost universal diffusion. Beggars are utterly unknown. . . . Pauperism, able-bodied pauperism at least, is nearly as rare as mendicancy. There are two so-called 'hospitals' in Guernsey, one for the town and the other for the country parishes, which, in addition to the purpose indicated by their name, serve also as poorhouses and houses of industry ; yet the inmates of all descriptions in the town hospital, at the time of my visit, were only 80 men, 130 women, 55 boys, and 39 girls, and I was assured that every one of the adults was incapacitated from earning a livelihood by some mental or bodily defect, or by bad character. No one fit for employment had been compelled to take refuge there by inability to procure work. The same remark applies to the country hospital, in which I found 18 men able to work, but who were either habitual drunkards, or otherwise of such bad character that no one would employ them. The average number of inmates, of both sexes and of all ages and classes was 146." (Thornton's "Plea," p. 100.)

Writing of the houses and cottages of the farmers and peasants in the islands generally, Mr. Zinke says:—

"All that one sees in them speaks of sufficiency, ease, and prosperity throughout all classes. The number of substantial houses in the environs of their two towns surprises one who calls to mind the smallness of the islands of which they are the capitals. In the country parishes, too, good houses abound. One accustomed to the uninhabited look of so large a proportion of the rural parishes of England wonders how the possessors of so many good houses as he sees here can find the means to live in them. So with the better class of houses. The same is observable with respect to the houses of the peasantry and of the artisans. A month's search for something of the mean and dilapidated kind, not unknown among ourselves, was quite unsuccessful. I went into several cottages, all of which I found well built, roomy enough, and in good repair. This was very remarkable in the houses of the peasantry. As to the clothing

of their inmates, I nowhere saw the dirt and rags which so frequently shock us here at home, as signs both of actual pressing want and of the decay or extinction of self-respect. But to the eye of one who may be visiting these islands indications of the well-to-do condition of the people are presented on every side. The churches I saw were large for the acreage of their respective parishes, and were well kept; so much so, indeed, in most cases, that one could not but notice their dimensions and condition. They evidently belong to large congregations, who take a pride in them. The churchyards told the same tale. They are as carefully kept as the churches, and contain what to English eyes is an unusual proportion of solid tombs and massive tombstones. It is plain that here there are few so poor as to be obliged to bury their dead in unnamed graves.

“In accord with the testimony of the churches and of the churchyards is that of the village schools, judging by what a passer-by can see both of the buildings and of the little scholars. So also, particularly in Jersey, is the excellent condition of the roads, and the dressiness, almost everywhere, of the roadside margins. These generally consist of stone walls, or well-trimmed hedges, or earth banks, upon or beside which are rows of trees, sometimes fruit trees, all of which, whether fruit-bearing or timber trees, are carefully tended. This dressiness of the roadside in rural districts is again something new to English visitors, and adds much to the pleasure of a day's walk or drive in the interior of Jersey. To the thought it is even more pleasing than to the eye, for it intimates that every cultivator loves and is proud of his land, and is desirous that it should present a fair appearance to his neighbours and to the casual passer-by. It shows, too, that, with the careful attention which is found only in small cultivators who are at the same time owners of the soil, he is making the most of his opportunities; for these trees, which he plants on his roadside boundary bank, will some day send down their roots into the roadside margin, and even extend them into what soil

there may be beneath the road itself, and will find space for expansion above the road, without detriment to grass or corn. With such cultivators nothing is lost."

Mr. Thornton says of the dwellings of the farmers and peasants in Jersey: "As the estates of the peasantry are larger than in Guernsey, so also are their dwellings—a much greater proportion of which are of sufficient size to be styled farmhouses. Some of them, indeed, have so much architectural pretension that they might almost be mistaken for the residences of independent gentlemen, if the fields of corn, parsnips, or cabbages, lying close under the parlour windows, did not show that they really belong to farmers. On the other hand, the mere cottages are very inferior in outward appearance to those of Guernsey, being commonly built of rough stone, and sometimes apparently without any cement. Their inferiority, however, is probably" (as Mr. Zincke shows certainly) "only external; for, though I did not myself enter any of them, the well-dressed people whom I saw leaving them on Sunday were evidently not prevented by want of means from making themselves comfortable." (Thornton's "Plea," &c., p. 102.)

Mr. Zincke remarks that in the countries where small properties, the result of free trade in land, exist, or, as he says, "Everywhere in the world, except in our own country, we find general markets for the general accommodation of the middle and working classes flourishing." All who have travelled among the French and German country towns must have noticed this. The wives of the small farmers and market gardeners come in with vegetables, fruit, flowers, eggs, fowls, and all the produce of the season. In the smallest country towns, as was once the case with us, these markets are to be found flourishing. They are of the greatest value both to the small farmers, labourers, and general inhabitants of the locality, and they are also great incentives to the careful production of many vegetables and fruits which would otherwise be neglected.

The prosperous condition and good supply of these

markets is often a very fair index of the condition and prosperity of the farmers and market gardeners in the district around. These markets also enable the labourers to obtain what they need of garden stuff and of eggs, bacon, and poultry, much more easily, much more cheaply, and much better than in our country.

The Rev. F. B. Zincke complains of the decay of such markets in our country, and attributes it to the disappearance of our ancient class of yeomen farmers, who owned their own small properties, and he might have added, as he seems indeed to infer, to the miserable and pauperised condition to which we have reduced our peasantry. He says, (see his Essay, p. 4):—

“The people who supply a market of this kind are not extensive cultivators, but peasant proprietors. Of these, each does all that ingenuity and labour can, to turn every square foot of his little estate to the best account. Every scrap and corner of it, and what they are producing, and what they can be made to produce next year or a dozen years hence, are constantly mapped in his mind’s eye. Here is a bit of wall, or an angle in a back yard, where there is room for a fig or a plum tree. The fig or the plum tree is planted before this bit of wall, or in this angle, and is carefully tended. This little bit of grass-land will support a few apple trees. The apples before long will be ripening above the grass. Before his potatoes are out of the ground, beet or broccoli is set between the rows. No leaf of this beet or broccoli will rot on the plant, but, as soon as it has done its duty to its parent, will be culled for the cow. The cow will supply milk and butter or cheese for the market. Cows and pigs and poultry are each kept in part as save-alls, and all alike for the market. These are the people who supply the market. Every week the good housewife herself brings to the accustomed stall all that she has ready for sale. This insures that everything the locality can produce, (and under this system every locality can be made to produce a great variety of good things), should be

exhibited in the market place in great abundance, and at very moderate prices. In the Guernsey vegetable market I counted upwards of a hundred of these peasant women in their stands at one time, many of them exhibiting upwards of twenty baskets of garden and dairy produce. Those who have any familiarity with the growing difficulty experienced in this country, possibly a result of our present system of land tenure, in supplying the working classes in our towns" (and, he might have added, in many of our richest rural districts) "with vegetables, fruit, eggs, butter, and milk, will regard such a market as that of Guernsey as of no small advantage to a locality."

But, as Mr. Zincke says, another cause which contributes to maintain these general markets is that they are, to a very great extent, supported by the yeomen and peasant proprietors, who learn by their own interest to raise whatever their land can be made to produce, and also how to make the best use of every good thing they raise. They know, he says, in what ways poultry may be cooked, as well as how to make soups of herbs and other simple but nourishing ingredients. Haricots and onions are much used by them. Cabbages are a valuable part of the household supply. Apples and plums are dried and stored for future use. All this is traditional lore in the small landowner's home. A varied, abundant, and cheap supply of vegetables and fruit is as necessary an ingredient in the dietary of adults as milk is in that of children. And yet in our rural districts it is often difficult, and sometimes impossible, for the labourer to buy any of these articles of food. And I have known cases where milk has been refused to the labourers, except on the application of influential landowners.

As to meat, how often do our rural labourers see it on their tables, unless it be a slice or two of bacon mixed with their bowl of potatoes on the Sundays?

But in the population of small landowners in the Channel Islands, there are many who are able to buy meat, as is proved by the fact mentioned by Mr. Zincke, that in the

meat market of St. Peter's Port, which is alongside the vegetable market, in Guernsey, there are thirty-six well-supplied butchers' shops, "a large number," as Mr. Zincke says, "for so small a place." The contiguous fish market, too, contains forty fishwives' marble stalls, on which, one morning in September 1875, Mr. Zincke counted twenty-two species of fish and crustacea.

The homes, the cottages, the farms, and the gardens of these prosperous islanders are their own. And how much is summed up in that fact! Is it not obvious, as the Rev. Mr. Zincke most truly and wisely says, that among the peasant and small farmer classes there can be no true home unless the house in which the family lives is its own property? What a vast difference there is between the cottage in which the English labourer lives by sufferance, liable to be turned out any month or year, and the cottage which the Channel islander and the foreign farmer or peasant has acquired as his own by his own exertions! If our small farmer or peasant has no lease, if the peasant may be turned out of his poor cottage at any moment, what motive is there to care for the shell of the cottage, except as a temporary shelter, of which he knows not how long the poor enjoyment may be spared to him? Such peasants will not repair; they will not beautify in many ways, which would otherwise be their pleasure; they will not try, by hard labour, to add to its conveniences. Why should they love to add to the beauty of their humble porches by training over them gay flowers; why should they bestow every spare penny on their garden and its productions; why should they spend their extra time and labour on its fences; why should they carefully prune and graft their fruit trees; why should they spare from their savings to buy new shrubs and trees, which next year or month may be their landlord's? What is there, in short, to create in their breasts that healthy and happy love of their cottages which the small owners of the Channel Islands, Switzerland, Germany, and France feel towards their own little homesteads, hardly



acquired, it may be, by much toil and self-denial, but when acquired, their own, safe from the greed or uncertain or tyrannical will of any one ?

And is not this a great moral lesson for the people, worth, if necessary, the sacrifice of some portion of the net produce of the soil ?

But it is not necessary to pay even this price ; for nations who have promoted just laws, and repealed, no matter by what labour, these selfish and class feudal laws, have found themselves repaid by a just Providence, by the increased, and still increasing, industry, self-denial, temperance, conservative feeling, contentment, and prosperity of the rural classes.

Would to God that all Englishmen had had the opportunities which I have enjoyed of studying the results of abolishing these unjust, oppressive, and truly demoralising feudal Land Laws !

## LETTER XIII.

ON BELGIUM.

September 23, 1878.

BEFORE leaving the important subject of the effects of the French system of Land Laws in the different European countries in which it has been in force for many years, I wish to direct the attention of your readers shortly to the effects of this system in the kingdom of Belgium; and I am all the more anxious to do so because many questions were put to witnesses upon this subject by members of the recent committee on the Irish Land Act, 1870, which has been sitting this year, showing too plainly that great misconceptions prevail as to the results of this system in that country.

“The case of Belgium,” as Mr. Cliffe Leslie says in his “Land Systems of Ireland, England, and the Continent” (p. 348), “is the more striking an example since the peasant there has none of the special gifts which the skies of France bestow on *la petite culture*. The olive is not his; and the vine, though it grows an indifferent vintage on a few slopes in the east and south of the kingdom, is nowhere to be met with in Flanders. The soil of Flanders, moreover, is so poor by nature that even ‘second’ or intermediate crops require special manure. . . . The Pays de Waes, it should be observed, is not more fertile than the rest of the sandy regions, although it may appear so from the greater moisture of the soil, and its natural qualities were so far from attracting earlier cultivation than the rest of the province, that it

was not reclaimed for centuries after the environs of Ghent. More manure to the acre is applied in it at this day than anywhere else, even in Flanders." And M. de Laveleye, who is one of the most competent of, if not the most competent, writers on the agriculture of Belgium, and who is the author of two celebrated works on the agriculture of Belgium and Holland—viz., "*L'Economie Rurale de la Belgique*," and "*L'Economie Rurale de la Néerlande*"—and also of a most interesting essay in the "*Systems of Land Tenure in various Countries*," entitled "*The Land System of Belgium and Holland*," says (see his Essay, p. 199): "In England a contrast is often drawn between Flanders and Ireland, and the former is said to enjoy agricultural advantages not possessed by Ireland, such as great markets, a better climate, abundance of manure, more manufactures. . . . Flanders does enjoy certain advantages, but they are equally accessible to the Irish, derived as they are from human industry ; whereas the advantages possessed by Ireland, coming as they do from nature, are not within the reach of the Fleming.

"Let us look, first, at climate and soil. The climate of Ireland is damper and less warm in summer, but less cold in winter. In Flanders it rains 175 days in a year ; in Ireland 220 days. On this account the Irish climate is more favourable to the growth of grass, forage, and roots, but less so to the ripening of cereals ; yet the Fleming would be but too happy had he such a climate, cereals being but of secondary importance with him, and often used as food for his cattle. He seeks only abundance of food for his cows, knowing that the value of live stock goes on increasing, while that of cereals remains stationary. Butter, flax, colza, and chicory are the staple articles of his wealth, and the climate of Ireland is at least as well suited to the production of these as that of Flanders.

"As for the soil of Ireland, it produces excellent pasture *spontaneously*, whilst that of Flanders hardly permits of the natural growth of heather and furze. It is the worst soil in

all Europe; sterile sand like that of La Campine and of Brandenburg . . . Having been fertilised by ten centuries of laborious husbandry, the soil of Flanders does not yield a single crop without being manured, a fact unique in Europe. . . . Not a blade of grass grows in Flanders without manure. Irish soil might be bought to fertilise the soil of the Fleming." M. de Laveleye goes on to show what extraordinary pains the Flemish farmers bestow on the collection, purchase, and preservation of manure, and what large sums they expend in its purchase, and he then continues: "On the whole, for carrying farming to a high pitch of perfection, Ireland enjoys far greater advantages than Flanders, the land being much superior, the climate equally favourable to the growth of valuable crops, and the same markets being at hand" to both countries.

But then, he might have added, the Irishman has not the wonderful stimulus of *owning* the land which he farms; and that, while in Belgium, as will be seen by and by, a great part of the farmers are spurred on to ever-renewed exertion and enterprise by the wonderful incentive of feeling that the land they farm is their own, and that every farthing and every hour's labour they expend upon it, is so much expended for their own sole benefit. Let the poor Irish tenant, working under an agent and without any lease even, be put in such a situation as the Flemish farmer, and we should soon see whether our Irish brother would not soon equal, if not outstrip, his Flemish competitor. In Belgium, the French system of compulsory subdivision of a great part of the land on the death of the owner, as described in No. 9, is in force.

But although this is the law of the land in Belgium, its effects are so modified in some parts of that country by local customs, and in other parts by the fact of the existence of so many manufacturing towns, that the consequence is that, while there are, as in all countries in which the French Land Laws are in force, great numbers of small farms, kitchen gardens, and single plots belonging to their culti-

vators, there are at the same time a great number of estates which belong to the old noble families or to the rich manufacturers in the towns. These latter estates are seldom farmed by the owners themselves, but are let in farms of different sizes either to farmers who have no land of their own, or to farmers who, having small farms of their own, are desirous of cultivating more land than that which belongs to them, and of thus hastening the time when they will be able to add to their own property by purchasing more.

In Belgium the nobility have, spite of the law of forced subdivision on the death of an owner, retained, as many of the French nobility also have done, large estates. So that in Belgium leasehold farms are to be found in most parts of the country, existing side by side with what we should call "freehold" farms, or farms actually belonging to the cultivator.

Owing to the circumstances mentioned, and to the constantly varying fortunes of members of the manufacturing class—to their occasional insolvency, to their occasional want of all available capital for speculations, and to their frequent changes of occupation—there is a constant change going on in the land market; some seeking to buy, some to sell, some to sell in plots in order to obtain the higher price, and many eagerly competing to obtain sometimes only one and sometimes more of such plots.

It is found in Belgium, as in France, that when a large landowner sells he can generally obtain much more by selling in a number of small plots than by selling the whole estate in one lot.

The farms, which are let on lease by the manufacturers and others, are, as a rule, let on very short leases—three, six, or nine years at most, and more generally for three or six than for nine. And on these farms all the evils are to be found which result everywhere from short leases, insufficient security for outlay, and the little interest felt by such a tenant in improvements, as compared to the deep interest taken by the real owner in improving and expend-

ing upon his own land. About one-third of the occupiers of land in Belgium are *owners*, and the other two-thirds *tenants* with very short leases.

Professor Baldwin, the chief inspector of agricultural schools in Ireland, was sent to Belgium in 1867 to study the condition of the agricultural tenants in Belgium. He was examined this year, 1878, before the select committee on the Irish Land Act, 1870, and gave some most important evidence upon the comparative condition of the small landowners and of the mere tenants of Belgium.

He says that "the small tenants are in a very indifferent condition, to say the least of it; that they are rack-rented; but the small owners, as a rule, are very prosperous and very contented, as they have an income from two sources; they have the income as proprietors, and the profit of the farm as well. I went in West and East Flanders from house to house, and I found more happiness and comfort and prosperity in the houses of the small proprietors" than in those of the mere tenants. "The tenant farmer has no money, and he is in a wretched state."

M. de Laveleye (see his Essay in "Systems of Land Tenure," p. 227) says: "If the cultivator of the soil is the owner of it at the same time, his condition is a happy one in Belgium, as everywhere else, unless the plot he holds is insufficient to support him, in which case he has to eke out his existence by becoming also a tenant or labourer. But as a rule the peasant proprietor is well off. In the first place, he may consume the entire produce of his land, which being very large, especially in Flanders, his essential wants are amply satisfied; secondly, he is independent, having no apprehensions for the future; he need not fear being ejected from his farm, or having to pay more in proportion as he improves the land by his labour." In short, he knows that the full and entire value of every improvement he effects will be his own or his children's, and that he or they will derive the whole advantage of every extra hour's labour.

But, as M. de Laveleye says (see *Essay*, p. 228), "the situation of the small Flemish tenant farmers is, it must be owned, a rather sad one. Owing to the shortness of their leases, they are incessantly exposed to having their rents raised or their farms taken from them. Enjoying no security as to the future, they live in perpetual anxiety. So much does this fear of having their rents raised tell upon their minds, that they are afraid to answer any question about farming, fancying that an increase of rent would be the inevitable consequence."

But this state of things is gradually disappearing, by the gradual division of the larger estates among smaller proprietors, who farm their own land themselves.

In 1846 there were only 758,512 owners of land in the whole of Belgium.

On the 1st January 1865 there were in the entire kingdom 1,069,326 owners. (See M. de Laveleye's *Essay*, p. 204.) Thus it appears that between 1846 and 1865 the number of landowners had considerably increased.

M. de Laveleye (see his *Essay*, p. 212) gives the following as the reasons why the Flemish husbandman derives such abundant produce from a soil which is naturally, as he says, "so poor," viz :—

"1. The perfection of both plough and spade work.

"2. Each field has the perfection of shape given to it to facilitate cultivation and drainage.

"3. Most careful husbanding of manure. None is wasted, either in town or country; and all farmers, down to the poorest tenants and labourers, purchase manure from the dealers."

(I have shown already how extraordinarily careful of their manure the small Swiss farmers are, and what pains they take that none shall be wasted, but that all, both solid and liquid, shall be returned to the land.)

"4. The great variety of crops, especially of industrial plants, viz., colza, flax, tobacco, hops, chicory, &c., yield-

ing large returns and admitting of exportation to the most distant countries.

“5. Second, or ‘stolen’ crops, such as turnips and carrots, after the cereals, of English clover, sparry, &c., whereby the cultivated area is in effect increased one-third.

“6. Abundance of food for cattle. Although the soil is not favourable to meadows, yet, taking the second crops into account, one-half of the available superficies is devoted to the keeping of live stock. Hence the rise of rents, although the price of corn is hardly increased.

“7. House-feeding of the cattle, by which the cows give both more milk and more manure.

“8. Minute weeding.”

Writing of the great value set upon manure by the small farmers, M. de Laveleye (*Essay*, p. 209) says: “The institution in Flanders in aid of agricultural credit is the manure merchant, who has founded it in the best of forms; for money may be spent in a public-house, but a loan of manure must be laid out on the land.

“The poor labourer goes with his wheelbarrow to the dealer in the village to buy a sack or two of guano, undertaking to pay for it after the harvest. The dealer trusts him, and gives him credit, having a lien on the crop produced by the aid of his manure. In November he gets his money; the produce has been doubled, and the land improved.

“The small farmer does as the labourer does; each opens an account with the manure dealer, who is the best of all bankers.

“The large farmers of Hainault and Namur do not buy manure, fancying they would ruin themselves by doing so. The Flemish small farmers invest from fifteen to twenty millions of francs in guano every year, and quite as much in other kinds of manure. Where does large farming make such advances?”

In another place (see *Essay*, p. 199) M. de Laveleye says:



“The Flemish farmer scrupulously collects every atom of sewage from the towns; he guards his manure like a treasure, putting a roof over it to prevent the rain and sunshine from spoiling it. He gathers mud from rivers and canals, the excretions of animals along the highroads, and their bones for conversion into phosphate. With cows’ urine, gathered in tanks (exactly as in Switzerland), he waters turnips, which would not come up without it; and he spends incredible sums in the purchase of guano and artificial manures.”

What a contrast to many parts of our own country! Not many miles from where I am writing there lives a very intelligent farmer, much respected both by his neighbour farmers and by the gentry around. He farms between 100 and 200 acres. His land consists of a loamy soil, perhaps a foot and a half deep, lying on the top of chalk, which is much broken up and more pervious to rain than even gravel. His land requires much manure. He has made, on the higher part of his land, large tanks, cut in the chalk, but not lined with cement or anything which could make them watertight. He has conducted by pipe drains into these tanks the sewage from extensive farm buildings and dwelling-houses. His land slants downwards from these tanks, rendering it very easy to irrigate it with the liquid manure, and, as I have said before, it is land which requires all the manure it can get. What does this intelligent and really superior English farmer do? He allows all the liquid manure, of which there is a vast quantity, to run away into the chalk to be lost, except a small quantity, which he uses for a kitchen garden. The solid sediment he has the good sense to make use of. And then, having thrown away all this valuable liquid manure, he goes to the market from time to time, and buys manure in a stinted manner, as he fancies he can afford.

If he had been a farmer in Switzerland, farming his own land, his tanks would be watertight, he would have a water-cart on his farm, and before the first crop was sown, and as soon as the first crop was removed, the cart, having been

filled from the tank, would water the land, and so prepare it for the next crop that, by the aid of this rich and constant manuring, can be obtained from it. But, alas! there is as much manure wasted and thrown away in England as would, in my opinion, double or treble the produce of our country, if properly applied. I have given an instance of the waste of a very intelligent farmer. What must it be among the small and less scientific farmers throughout the country, farming another man's land, without lease or any valid security for improvements!

M. de Laveleye denies that the small properties of Flanders are burdened with debts, or that loans on them are raised at ruinous rates of interest, as opponents of the French system of Land Laws allege. A similar objection has been brought, as I have shown, against the small properties of France, and, as I have shown, has been disproved by the most competent writers on this subject.

Another objection which has been often urged against *la petite culture* (or the cultivation of small farms by their owners) in Belgium is that it does not admit of the use of agricultural machinery. I have shown how a similar assertion with respect to France is disproved by the actual facts.

With respect to Belgium M. de Laveleye says:—

“To disprove this objection I need not point out that to Flanders are due the best forms of the spade, the harrow, the cart, and the plough—Brabant ploughs having for a long time been imported from Flanders into England. It may be said that these are primitive, and not very costly implements. I need only reply, look at what is going on in Flanders at the present day.

“The most costly agricultural machine in general use in England is the locomotive steam threshing machine. Well, this machine is to be found everywhere in Flanders. Some farmers will club together to purchase one, and use it in turn; or else a villager, often the miller, buys one, and goes round threshing for the small farmers on their own ground at so much per day and per hundred kilos of corn. The

same thing takes place with the steam plough as soon as the use of it becomes remunerative.

“To keep hops in good condition, very expensive machines are required to press them. At Poperinghe, in the centre of the hop country, the commune has purchased the machines, and the farmers pay a fixed rate for having their hops pressed—which is at once an advantage to them and a source of revenue to the commune.

“The example of Flanders, therefore, proves that the division of land forms no obstacle to mechanical economy in farming.”

All this, as I have already shown, is equally true with respect to the yeomen and peasant farmers of France farming their own lands; and even in Surrey, one of the richest farming districts of England, and in the part of Surrey in which I am residing, the same plan is pursued among the large leasehold farmers. Some one person buys the threshing machine, and it is hired in turn by all the farmers of the district around.

M. de Laveleye says (see *Essay*, p. 231) that in normal years there is no pauperism in the rural districts of Flanders; and it must be remembered that in No. XII. I showed that the same was true with respect to the Channel Islands. He also says that a stranger visiting Flanders should guard against rashly drawing unfavourable inferences from certain facts arising from custom. Some people, as he says, seeing women working in the fields barefooted, are apt to consider such a fact as a proof of extreme destitution. But they would be in error in coming to such a conclusion, as it is the custom of the country. “Well-to-do farmers’ daughters, who are stylishly dressed on the Sundays, will work barefooted during the week.” And as I have said in former letters, it is perfectly absurd to judge the condition of the men or women of the small farmer classes of Germany, Switzerland, and the Channel Islands by the working clothes worn by them on week-days when at work. These clothes are always decent, never in rags; they are often

made of strong home-spun materials ; they are naturally stained by the work, the earth, and the rain, though often washed ; they look poor enough in truth, but what would these complaining travellers have ? Would they have the men and the women go to their work in their Sunday dress, or in their cantonal costume, or in their ornaments ?

In all these countries, if you wish to see how the small farmers and their families dress, you must see them on Sundays, and ask yourselves then if our small farmers or our poor peasants and their families would bear the contrast. So it is also with the children. If they are not attending school, they wear their old patched clothes. Their school and Sunday clothes are laid by while they are assisting in the farm or garden labours.

There is in Belgium, as in all the countries under the French law, an excellent system of registration, which, by enabling a buyer to ascertain at once the exact state of the title to the land he wishes to buy and of the claims upon it, renders the purchase very easy, very expeditious, and very cheap. If any one wishes to buy, he goes to a notary, who obtains for him a copy of the exact state of the title from the official entries in the registry office.

The notary then prepares the deed of sale, which in all these countries is very short and simple, as none of our complicated settlements and arrangements are possible. This deed of sale is then signed by the buyer, the seller, two witnesses, and the notary. The minute or abstract of this deed is then taken to the office of the registrar, who puts an abstract of it on his register. After this the registrar transcribes the deed in full. The purchaser of the property who has been the first to have his deed transcribed is the legal purchaser as against all other subsequent buyers. There is, by these means, no difficulty whatever in ascertaining the state of the title of a plot of land at any moment. The whole transaction is very short and simple, and the expenses are very small.

But registration would effect only a very partial good in

England, unless we had got rid of the landowners' power to make the laws and complicated settlements, deeds, and wills which the law now permits them to make.

M. de Laveleye says that the small owners exercise great self-denial in their food and mode of life, in order to lay by money wherewith to purchase more land and to give their farms a better outline ; and he says that the larger properties are hardly ever divided in consequence of the law of succession or forced subdivision, but simply on economical grounds, viz., because they fetch higher prices when sold in lots ; and he adds that the peasant proprietor attaches so much value to the proper outline of a field that he would rather sell it in one lot than in plots ; and Mr. Cliffe Leslie says (" Land System," page 309) : " Little plots are continually for sale ; transfer is easy and cheap ; the labourer is frequently a buyer ; and the notary does a flourishing business though his charges are low."

Writing of the character of the villages in Flanders from his own observation, Mr. Cliffe Leslie says (" Land System," p. 317) : " The very variety and beauty of the houses in these Flemish villages is no mean result of the cultivation of the country, and must have a most beneficial effect on the minds of the rural population. The grace of the dwellings of the wealthier small proprietors, embowered in tiny pleasure grounds, is beyond description. But the humblest workman's cottage is exquisitely neat, and each has something about it which gives it a character of its own. And look within ; look at the furniture, the bright ware, the clock, the petroleum lamp, the chest of drawers, and its contents, and see what a quantity of auxiliary industry agriculture has called into existence in the house of the poorest of its village servants."

Now such is the description in another of M'Culloch's " pauper warrens," of the effect of this terrible French Land Law. And be it remembered, the prosperous condition of the Belgian yeomen and peasant farmers, who cultivate their own land, has grown to its present state, just as in France,

spite of defective education, caused by the religious strife which has afflicted that brave and industrious little country so many years.

Since the last elections, which have led to such a victory for the Liberal party, we may now soon expect to see good schools, liberal teaching, and well-educated teachers in every commune; and by their means we shall see in Belgium what Germany and Switzerland have already attained—improved cultivation, good agricultural schools, more scientific farming, and a still greater advancement than they have even now attained, in the prosperity and well-doing of the rural districts. But, even as it is, look what wonderful prosperity that small kingdom has attained: Look at its network of railroads, opening up every district, however remote; its wonderfully prosperous towns; its restoration of its glorious mediæval buildings; its restored cathedrals; its galleries of modern art in almost every town; the costly and splendid improvements which are being carried out as if regardless of expense in its capital, and the look of wealth and abundance which meets you on every side; and then let any dispassionate observer consider whether this country, like its powerful neighbour France, is not prospering by the prosperity of all classes of its citizens.

## LETTER XIV.

### *DISADVANTAGES OF THE FRENCH SYSTEM OF LAND LAWS.*

[*Note by the Editor of the "Manchester Examiner and Times."*  
—We have a melancholy satisfaction in being able to add the following to the important letters on the Land Question, by the late Mr. Joseph Kay, which have been published in our columns at intervals for some time past.]

I HAVE now endeavoured to present to my readers as fair and dispassionate an account as I was able to give of the effects of the French system of Land Laws, in those European countries in which they have been in force for such a length of time, as to enable a fair judge to form a reliable opinion on such a subject. I have shown how these laws are working in France, Belgium, the Channel Islands, Switzerland, the Rhine provinces of Germany, in Holland, and in Norway; and I have cited the opinions of many able, experienced, and most distinguished men of different countries in support of the statements I have made.

The same system of Land Laws has been put in force in Southern Italy since she shook herself free of foreign and clerical masters. It is too soon to inquire into the effect of these laws in Italy at present, but it requires no great gift of prophecy to predict, that the vast, ill-managed, and badly-cultivated estates of the great nobles of the Roman, Neapolitan, and Sicilian provinces will soon follow the fate of the once similar estates of the French nobles, and be sold and divided among yeomen and peasant farmers, who

will reclaim the wastes and marshes, and bring health, plenty, and comfort where disease, misery, and sterility now prevail.

Even since I wrote the account of the condition of the yeomen and peasant farmers of France, and showed how far removed they were, spite of all the disasters of the late war, from being the "pauper warren" which had been prophesied, remarkable statements have appeared in two of our leading journals, one of which, the "Times," has at all times been a vehement opponent of "free trade in land," or of any system approaching in character to that of France.

The "Times" of the 12th of September, 1878, in a leading article upon the immense and costly works projected and already commenced with wonderful success by M. de Freycinet, the enterprising Minister of Public Works, and warmly supported by M. Léon Say, the cautious financier who now controls the French Exchequer, and by the aged and cautious M. Dufaure, who is the head of the French Ministry, says: "On one subject he (M. Say) spoke with a confidence on which France may be congratulated. The increase of national wealth continues as great as ever. The accumulations of France astonished Europe in 1873. M. Say reckoned the savings of the country available for investment since the beginning of the year at 281,000,000*fr.*, and referred with natural pride to the ease with which during the last two months he had raised a loan of over four-and-a-half millions sterling at three per cent. The success of this great operation was the more remarkable as the ordinary machinery for reaching investors was dispensed with. With such resources to look to, he had no apprehensions that the country will be unable to meet the obligations which the development of public works will entail."

It should be remembered, that to defray the expenses of the gigantic works of which M. Say and the "Times" speak, about 500,000,000*fr.* a year will be required for the next ten years.



And the "Spectator" of the 14th of September, 1878, writing on the same subject, says : "So great are the savings of the people that more than £10,000,000 sterling has been deposited in the savings banks in the past seven months. . . . The Government can obtain money more cheaply than at any time in the past 35 years. . . . Whatever the other consequences of the law of equal partition in France, *it certainly has developed the passion of industry to an unprecedented degree. The French peasant, owning his land, works and saves as no man works and saves*—certainly not the Englishman, who, though industrious, has not acquired from the possession of property the instinct of thrift."

But I shall be asked : If the French system of Land Laws makes the yeomen and peasant farmers, who cultivate their own land, so prosperous and happy in all these countries into which this system of laws has been introduced, what objection can be reasonably raised against it ? This is a reasonable question, which I will try to answer.

1. It must be remembered, from what I have said in No. IX., that if a father has a large family, this law leaves him the power of leaving by will to any one whom he chooses only a very small portion of his land. For example, if he had six children at the time of his death, he could only devise as he chose one-seventh of his estate ; if he had eight children, one-ninth ; and so on. All the rest of the land is divided by the law among the children equally, if they choose to claim their shares. Of course, in a vast number of cases, they do not so choose. Before the father's death they have generally chosen their mode of life. Some go to the towns, some to the army, some to artisans' work, some to service, and so on. All these know nothing about farming whatever. Moreover, they know that there would not be land enough for all if they chose to divide the estate, and, also, that farm buildings would have to be built, and that farm stock would have to be purchased for each portion ; so that, as any reasonable man will perceive, although the law gives each child a share of the land if he chooses

to take it, it continually happens that the circumstances I have just mentioned make them unwilling to divide the farm. And in this case, either the farm is sold in one lot in the market, and the proceeds are divided among the children, or one of the children takes the farm, and gradually pays off the shares of his brothers and sisters. All this is forgotten or misunderstood by English writers on the subject, who are constantly treating the subject as if the farm *must* necessarily be divided, because the law says each child shall be entitled to a certain share. The great estates go on gradually dividing, partly because they consist of many separate farms, each of which can be sold separately; and partly because many of the smaller proprietors are always looking out for the chance of buying small plots of land wherewith to enlarge their small estates.

But, although this is so, still, no doubt, there are many cases in which, spite of all these considerations, the land is actually divided when the whole extent of it is so small as to make division highly inexpedient. And this, no doubt, is a bad effect of this system of laws. How far this evil, where it does exist, is counterbalanced by the vast benefits conferred by this law upon the rural classes, time and experience alone can sufficiently explain.

2. Another evil, which results from this system, is that it often diminishes the authority and influence which a father ought to exercise over his family. In a family in which there are five or six children, all know that the law gives them an equal share of the property on the death of the father, and that in such a case the father would be able to leave as he chose only a seventh of his land. The children know that, no matter how badly they behave or how little respect they show to their father, they are sure of their share when he dies, and that he cannot in any way deprive them of it. The portion of which he can dispose in such a case is too small to be worthy of much consideration. The father is in this way deprived of much of the moral influence which he ought to exercise, and which it is highly expedient

he should exercise, if he is a worthy and moral man. If his family consists of only one or two children, this reason against these laws is deprived of much of its weight. In such cases the law allows him to leave one-half or one-third of the whole land, according as he has one or two children, to any one he pleases, and consequently he is able to affect his child or children seriously by his will, if they prove unworthy.

The English law is still more open to this objection. When an estate is settled and tied up for several lives or many years, the son who is to succeed knows that nothing he does, no disobedience or disrespect he shows, no immorality or debased character he exhibits, can affect his rights as successor. He may show himself to be a spendthrift or a villain; he may treat his father with utter contempt; he may become the companion of swindlers of the worst description; but the estate is sure, if he lives, to become his own. And it is this knowledge and this result of our settlements, deeds, and wills which have utterly destroyed the influence of many a good father, and ruined in morals and character thousands of sons. How far the limited effect of this consideration, so far as the French system is concerned, militates against the vast benefits conferred by that system, only time, education, and experience can explain.

3. Another evil, arising from the French system of compulsory subdivision on the death of the owner, in those countries in which this system is in force, and in which the yeomen and peasant farmers are not educated, is this : A great number of farms come into the possession and ownership of uneducated yeomen and peasant farmers. Where these men are educated, and where many of their sons pass through good agricultural schools, as in Switzerland and Germany, there you find the farmers consulting one another about improvements, upon the qualities of manures and machinery, and upon the best means of making the most of their land. You find there also scientific farming advancing from year to year, and the produce of

the land increasing and improving. But where little or nothing has been done for the real education of these classes, or for their training in scientific farming, although you may find wonderful industry, self-denial, and economy, and the most careful cultivation of the farms, you will also find that they farm, if I may say so, from tradition, from what they have heard from their fathers and neighbours; and you will find an unwillingness or an inability to receive new ideas, or to avail themselves of the improving knowledge of their own time in other countries. Of course this is an evil which education and time will cure, but it is an evil which, where education is wanting, is more observable in countries in which the land is much subdivided, than in those in which the land is cultivated by men of more capital, and with better means of educating and training their children.

4. Another evil which results from this French system is that, as a general rule, it has a tendency to subdivide nearly *all* the great estates. I say a tendency, because in some countries, as in Belgium and France, spite of the stringency of this law, many large estates remain undivided, and in the hands of the same family, from generation to generation: but still the tendency of the French law is as I have said. Now, I must say that, while I think it a vast evil to do as we have done, and to shut out the peasants from all chance of buying land, and the small farmers from almost all chance of buying any, and to have so framed our laws that by far the largest proportion of the land is tied up for generations in the hands of a few great owners, still I think it is also a great evil to do away with large proprietors altogether. If they are good and intelligent men, they perform great and most important functions in the body politic, and are able, by their larger command of capital, to try experiments in scientific agriculture and in costly machinery, and to encourage and promote many new improvements which poorer men would not venture upon until their success had been proved by others. Of course, this is only true where

the great landowner is an educated, scientific man of business, who makes the scientific care of his estate the business of his life. No one grudges such a man the possession of many acres ; and such a man, if he knew that he could not, as at present, prevent by any deed or will his estate from being sold after his death, would bestow infinite care on the proper education of the son whom he selected to succeed him, so that the estate might continue to be well and scientifically managed, and might not be sold or divided after his own death. And the son, as I have already pointed out, under such a state of law, knowing that the law did not secure the succession to the estate to him, as it does now, and that his father would not leave him the estate unless he fitted himself to manage it properly after his father's death, would be much more likely to fit himself by study for such management than now, when our law seems to do all it can to render the son, under one of our settlements or wills, wholly independent of the father's influence, and wholly indifferent and indisposed to educate himself for the scientific management of the estate. In these respects I have always been strongly of opinion that the immoral influence and results of our system of Land Laws are about as bad for the common weal as they could be.

And if the only choice before us lay between, on the one hand, continuing the injurious unfairness and the great moral evils resulting from our present system, or, on the other hand, adopting the French system even with its defects, I, for one, should not hesitate a moment in electing the French system, which, although open to the objections I have mentioned, at the same time promotes in such a remarkable degree the self-denial, the foresight, the wonderful industry, and the moral habits of the French yeomen and peasant farmers.

[The following sentence, extracted from Mr. Kay's book on the "Social Condition and Education of the people," in which he has discussed this subject, contains the result

he arrived at, and forms a fitting conclusion to this unfinished letter. "The best and soundest plan, however, is to give the proprietor power to leave his land to whomsoever he will, but to deprive him at the same time of all power of preventing his successor from selling any portion of the land and of leaving his successors any other than the whole estate in the land devised to them." The reader is also referred to Letter IX., p. 94, and Appendix, p. 311. EDITOR.]

## LETTER XV.

### *THE SYSTEMS OF LAND LAWS IN FORCE IN PRUSSIA, AND IN TWO OR THREE OF THE SMALLER GERMAN STATES.*

I HAVE now described to those of your readers who are interested in the subject, and in as simple and popular a manner as I could, the nature of the French system of Land Laws, and their effects in the countries in which they are in force—viz., France, Switzerland, Belgium, Holland, the Channel Islands, the Rhine provinces of Germany and Norway; and in my last letter I have tried to point out, as fairly as I could, all the disadvantages of which I am aware, which tend in any degree to counterbalance the enormous benefits which these laws have conferred upon all the countries, into which they have been introduced.

I now propose to explain, as clearly as may be, the systems of Land Laws which are in force in the great kingdom of Prussia, and in two or three of the smaller German States. Your readers will soon see how they promote in the fullest manner free trade in land; how they set themselves against the tying up of estates, as in Great Britain and Ireland, for long series of years; and how they facilitate, as much as possible, the acquisition of land, either for gardens, orchards, or farms, by all classes of the people.

The state of the division of the land in Great Britain, as described in No. I. of this series of letters, may well indeed appear astounding to an educated German, when he com-

pares it with what the greatest of their statesmen have successfully devoted their energies and abilities to effect in Prussia and Germany, and when he considers that the division of land in his own country meets with the almost universal assent and praise of all thoughtful and intelligent men. But first of all, before we inquire into the nature of their Land Laws, let us consider what the actual state of the division of the land in the kingdom of Prussia was in 1858, the last year, I regret to say, of which I have been able to procure any official and trustworthy returns.

I am indebted for these returns to Mr. Harris-Gastrell's very learned report on Prussia and the North German Confederation, published in Part I. of the "Reports of Her Majesty's Representatives respecting the Tenure of Land in the several Countries of Europe, 1869." Mr. Harris-Gastrell divides the landed estates of Prussia into three classes—

1. Small properties.
2. Middle properties.
3. Large properties.

*As to the small properties*, he says, that in 1858 there were in the whole kingdom—estates under  $3\frac{1}{2}$  acres, 1,087,081, estates between  $3\frac{1}{2}$  to 20 acres, 609,828. Sites of houses with or without a house-garden attached are excluded from the above numbers.

*As to the middle properties*, he says, that in 1858 there were in the whole kingdom—estates from 20 to 200 acres, 389,823,—estates from 200 to 400 acres, 15,048.

*As to the large properties*, he says, that in 1858 there were in the whole kingdom—estates over 400 acres, 18,197, and that of these, in 1865, there were only 108, which were assessed to the Land Tax at a net return of over £1500, or, stating in a summary the total of the above table, there were in 1858, as he says—

Small properties	.	.	.	.	1,696,909
Middle properties	.	.	.	.	404,871
Large properties	.	.	.	.	18,197

Of the small proprietors, he says that a considerable number



possess sufficient land to support themselves and their families. The minimum for this purpose, he says, is 7 acres, or thereabouts, in very fertile and well-favoured districts; but that the minimum increases to 20 acres or more in districts with decreasing local advantages. The remaining small proprietors are mainly persons, as he observes, "who are auxiliarily occupied with agriculture;" that is, either labourers, who own a kitchen-garden or a field; or market gardeners, who raise vegetables and fruit for the markets; or owners of vineyards. It appears that there are, or rather were, in 1858, about 800,000 day labourers, working for wages, who *owned* small plots of land such as I have mentioned above, and that many of these were artisans or the small industrial people of the village.

Only compare this state of things to that described in No. I., and the sizes of what are called "great" estates, with the sizes of the enormous estates of England, Scotland, and poor Ireland, and try to realise the vast difference between the position of a small farmer or a peasant in our Islands and in Prussia. Remember, that, as I have shown in my first letter, 874 persons in England and Wales own 9,267,031 acres; and that 4500 men in England and Wales own more than 17,498,200 acres; that in Scotland one owner has 1,326,000 acres, and that 12 owners have 4,339,722 acres; while in poor, discontented Ireland, 744 persons hold 9,612,728 acres, or about one-half of the island, and that of these a great number are absentees. And then consider the significance of the fact that, in the great kingdom of Prussia, there are only 108 landowners whose estates are large enough to be rated at £1500 a year.

[NOTE BY THE EDITOR.—Mr. Kay was engaged in writing the above letter on the 5th of October 1878. In the evening he made, as usual, a short entry in his diary:—"Worked at No. XV." These are the last words my husband ever wrote in this diary which he had kept regularly for the greater part of his life. The next day, Sunday the 6th, he was seized with a sudden increase of the painful illness from which he had been suffering during many months, and died on Wednesday the 9th of October 1878.]



## APPENDIX.



## APPENDIX.



THE following Appendix contains portions of the first chapter of a book published by Mr. Kay in 1850, entitled "The Social Condition and Education of the People in England and Europe ; Showing the Results of the Primary Schools, and of the Division of Landed Property in Foreign Countries." It was the intention of Mr. Kay to reprint this chapter, or portions of it, as an Appendix to the volume he meant to publish, embodying the contents of his letters on "Free Trade in Land."

My husband did not intimate exactly what portions of the chapter he wished to be re-published, and as it has thus become my duty to make a selection, I have selected those portions only which directly illustrate the subject of these Letters. It will be observed that I have retained the numbers of the Index for the sake of those who may happen to possess the original volume.

The circumstances under which the book was composed, and the scheme and design of this first chapter, will be made clear by the following paragraphs taken from the Introduction.

"In 1844 the Senate of the University of Cambridge honoured me by appointing me Travelling Bachelor of the University, and by commissioning me to travel through Western Europe in order to examine the social condition of the poorer classes of the different countries.

"During the last eight years I have travelled through Prussia, Saxony, the Austrian Empire, Bavaria, Wurtemberg, the Duchy of Baden, Hanover, Oldenburg, Lombardy, Switzerland, France, Belgium, and Holland, as well as through England, Wales, and parts of Scotland and Ireland. I undertook the greater part of these journeys in order to examine the comparative conditions of the peasants and operatives in these several countries, the

different modes of legislating for them, and the effects of these different modes of legislation upon their character, habits, and social condition.

“I have ventured to believe that it will not be wholly uninteresting or unprofitable to some of my own countrymen, if I publish some of the information I collected during my different tours through Europe.

“It is important that we should make ourselves acquainted, as far as possible, with the state of the poorer classes in the countries of Western Europe ; for there is much to learn from the results of the systems of legislation pursued by their governments and people.

“We are much too apt to look down upon foreign nations, and to imagine that all our institutions are superior to theirs, and that each class of our people is more prosperous and happy than the corresponding class of any foreign country.

“I do not hesitate, then, to affirm,—and the proof of this affirmation I shall immediately show,—that the moral, intellectual, and social condition of the peasants and operatives of those parts of Germany, Holland, Switzerland, and France, where the poor have been educated, where the land has been released from the feudal laws, and where the peasants have been enabled to acquire land, is very much higher, happier, and more satisfactory than that of the peasants and operatives of England ; and that, while these latter are struggling in the deepest ignorance, pauperism, and moral degradation, the former are steadily and progressively attaining a condition, both socially and politically considered, of a higher, happier, and more hopeful character.

“I think it will appear from the following pages, that the remarkable improvement which has been witnessed in the condition of a great part of the German and Swiss poor since 1800, has been the result of two causes ; viz.—

“1st. The admirable and long-continued education given to *all* the children ; and

“2d. The division of the land among the peasants.”

In illustration of these causes the chapter proceeds to describe the condition of the poorer classes of foreign countries under a series of heads, of which the following have been selected as most closely connected with the subject of Free Trade in Land.—EDITOR.

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2. THE EDUCATION OF THE PEASANTS, COMBINED WITH THE SUBDIVISION OF LAND, TENDS TO STRENGTHEN THEIR PRUDENCE, FORESIGHT, AND ECONOMY.—The laws prohibiting marriage in certain cases in Switzerland.—Opinions of Reichensperger and Thaer.—Statistics of the age of marriage in Geneva, Vaud, Prussia, and England.—The postponement of marriage does not necessarily increase the immorality of the peasants.—Opinions of Mill, Laing, Sismondi, Rau, Quetelet, and Legoyt.—Statistics showing the rate of the increase of population in different countries.—The parish of Montreux.—Opinion of Nicholls.—The small amount of pauperism in some of the Protestant cantons of Switzerland.
  
5. THE EDUCATION OF THE PEASANTS AND THE DIVISION OF THE LAND TEND VERY GREATLY TO IMPROVE THE CULTIVATION OF THE LAND.—The difference between tenants-at-will and peasant proprietors.—The Irish peasants are tenants-at-will.—Opinions of Reichensperger and Kraus.—The produce of land farmed by small proprietors is greater than its produce when farmed by great proprietors.—Opinions of Reichensperger, Rau, Thaer, and Schubert.—Increased productiveness of agriculture in Prussia since the subdivision of the land.—Rau's account of agriculture in the Palatinate.—Banfield's account of the condition of agriculture in the Prussian Rhine provinces.—Opinions respecting the progress of agriculture in Prussia.—The improvement in the cultivation of the land in Saxony and Switzerland since the division of the lands.—The difference between the state of agriculture in Wales and Scotland and in Saxony and Switzerland.—Gleig's account of farming in Saxony.—The hillside farming in Saxony.—The agricultural colleges of Switzerland and Germany.—Sismondi's description of the peasant proprietors of Switzerland.—Nicholls' and Reichensperger's descriptions of the small farms of Belgium.—Howitt's account of peasant farming in the Palatinate and in Germany.—Professor Rau's account of the state of agriculture in the Palatinate.—Strohmeier's account of the progress of agriculture in the canton of Soleure.—Professor Vulliemin's account of the progress of agriculture in the canton of Vaud.—Herr von Knonau's account of the progress of agriculture in the canton of Zurich.—Herr Pupikofer's account of the progress of agriculture in the canton of Thurgovie.—Herr von Knonau on the management of cattle in Zurich.—Inglis' account of farming in Switzerland.—Laing's account of the farming by peasant proprietors in Norway and on the Continent.—The cultivation of the small farms in Flanders.—Mr. Mill's opinions of the excellent effects of the system of peasant proprietors.

6. THE EDUCATION OF THE POOR AND THE DIVISION OF THE LAND TEND GREATLY TO IMPROVE THE CHARACTER OF THEIR HOUSES AND OF THEIR VILLAGES.—The cottages in Prussia and the Rhine provinces.—Banfield's description of the peasants' farms in the Rhine provinces.—The difference between the state of the town labourers of England and Germany.—Dr. Bruggeman's opinion.—The cottages in Switzerland.—Von Knonau's description of the peasants' houses in the canton of Zurich.—Bronner's description of the peasants' houses in the canton of Aargau.—Strohmeier's description of the peasants' houses in the canton of Soleure.—Pupikofer's description of the peasants' houses in the canton of Thurgovie.—Professor Vullie-min's description of the peasants' houses in the canton of Vaud.—Im Thurm's description of the peasants' houses in the canton of Schaffhausen.—Von Knonau's description of the peasants' houses in the canton of Schweitz.—Symon's description of the peasants' houses in the cantons of St. Gall and Appenzell.—Chambers' opinion of the condition of the Swiss peasantry.—Mügge's description of the improvement of the condition of the peasantry in the canton of Vaud since the abolition of the feudal laws.—Sismondi's description of the social condition of the peasant proprietors of Switzerland.—Laing's description of the social condition of the peasant proprietors of Switzerland.—Nicholls' description of the houses and social condition of the small proprietors of Belgium.—Reichensperger's opinion of the effect of the subdivision of land upon the peasants of Prussia.—The difference between the state of the houses of the peasants in those parts of Germany where the land is divided, and in those parts where it is not divided.—The causes of the miserable condition of the houses of the peasantry in countries where the land is in the hands of a few persons.
  
8. ONE GENERALLY TRUE INDEX OF THE CONDITION OF THE POORER CLASSES OF ANY COUNTRY IS THE CHARACTER OF THEIR AMUSEMENTS. . . . The respect for property, and the absence of enclosures, enable the townspeople in Germany to enjoy walks through the fields.—The little respect shown for landed property in our manufacturing districts.
  
9. THE EDUCATION OF THE POOR AND THE SUBDIVISION OF LAND TEND VERY MATERIALLY TO IMPROVE THE HEALTH AND SOCIAL COMFORTS OF THE POORER CLASSES.—The food of the German poor.—Reichensperger's opinion.—The increase in the consumption of bread by the Prussians, as shown by Banfield's statistics.—The increase in the consumption of meat by the Prussians since the division of the lands.—The increase



in the general consumption of the Prussians since the subdivision of the land, as shown by the Report of the Prussian Minister of Statistics.—Opinions of the Minister.—Reichensperger's opinion of the improvement of the social condition of the people of the Rhine province.—Von Knonau's account of the food of the poor in the canton of Zurich.—Pupikofer's account of the food of the poor in the canton of Thurgovie.—Im Thurm's account of the food of the poor in the canton of Schaffhausen.—Professor Vulliemin's account of the food of the poor of the canton of Vaud.

10. THE EDUCATION OF THE PEASANTS AND THE DIVISION OF THE LAND TEND TO RENDER THE PEASANTS VERY CONSERVATIVE IN FEELING.—The peasant proprietors of France—of Germany—of Switzerland.—Their conduct during the late political revolutions.—What would be the effects of free trade in land in Ireland.
12. THE FREEDOM OF THE LAND FROM THE OLD FEUDAL RESTRICTIONS ENABLES THE SMALL SHOPKEEPERS TO ACQUIRE LAND.—The great advantage of making it possible for our shopkeepers to acquire land.
13. THE DIVISION OF LANDED PROPERTY REDUCES THAT INTENSE COMPETITION FOR WEALTH WHICH DISTINGUISHES ENGLISH LIFE.—THE RESULTS OF THE GREAT PROPERTY SYSTEM IN IRELAND.—THE PRESENT CONDITION OF IRELAND.—THE CAUSES OF THAT CONDITION.—THE REMEDY FOR IRISH MISERY.—The intense competition of the different classes in England reacts very unfavourably upon the poor.
14. THE OPINIONS OF GREAT WRITERS ON THE RESULTS OF THE DIVISION OF LANDED PROPERTY IN FRANCE.—Mill.—Napoleon and his Ministers.—Reichensperger.—Sismondi.—Troplong.—Chaptal.—Giraud de Barante.—De Carné.—Buret.—Chevalier.—De Dombasle.—C. Dupin.—Gasparin.—Vileneuve Bargemont.—Passy.—De la Farelle.—Report of the Central Agricultural Congress.—Bertin.—Points upon which all travellers in France are agreed.

2. *The prudential habits of the peasant proprietors.—The general diffusion of education, combined with the subdivision of the land, tends very remarkably to increase the prudence, forethought, and economy of the poor.*

A poor man in Germany, France, Holland, and Switzerland, is, from his education, intelligent enough to be able to calculate his chances. He knows, when he begins his life, that if he defers his marriage for some years, he will be able to save, and to acquire land. He knows that if he marries early in life, he cannot hope to save enough to enable him to buy a farm or a garden of his own, and that if he does not buy one, he will occupy a lower and less comfortable social position than his neighbours. The fact of so many of his friends possessing small estates of their own, and the pleasure of owning one himself, stimulates him with double ardour to seek to obtain a small plot of land also, and to consent to present self-denial for the sake of attaining this strongly desired end. The consequence is, that the poor of these countries do not marry nearly so early in life as the English poor, and do not consequently rear such large families. In some parts of Switzerland, as in the canton of Argovie for instance, a peasant never marries before he attains the age of twenty-five years, and generally much later in life ; and in that canton the women very seldom marry before they have attained the age of thirty. Indeed, so strongly do the people of Switzerland understand from experience the expediency of their sons and daughters postponing the time of their marriages, that the councils of state of four or five of the most democratic of the cantons, elected, be it remembered, by universal suffrage, have passed laws by which all young persons, who marry before they have proved to the magistrate of their district that they are able to support a family, are rendered liable to a heavy fine. In Lucerne, Argovie, Unterwalden, and, I believe, St. Gall, Schweitz, and Uri, laws of this character have been in force for many years ; but I mention them rather as symptoms, than as causes of the prudence and self-denial of the peasantry. Nor do the division of land and the cheapness of the mode of conveying it from one man to another encourage the providence of the labourers of the rural districts only. They act in the same manner, though, perhaps, in a less degree, upon the labourers of the smaller towns. In the smaller provincial towns, it is customary for a labourer to own a small plot of

ground outside the town. This plot he cultivates in the evenings as his kitchen-garden. He raises in it vegetables and fruits for the use of his family during the winter. After his day's work is over, he and his family repair to the garden for a short time, which they spend in planting, sowing, weeding, or preparing for sowing or harvest, according to the season. The desire to become possessed of one of these gardens operates very strongly in strengthening prudential habits, and in restraining improvident marriages. Some of the manufacturers in the canton of Argovie told me that a townsman was seldom contented until he had bought a garden, or a garden and house, and that the town-labourers generally deferred their marriages for some years, in order to save enough to purchase either one or both of these luxuries.

I have no doubt in my own mind that the effect of the subdivision of land, after it has proceeded to such a length that the smallest of the estates is sufficient to support a peasant's family in comfort, but not large enough to support two average-sized families (and beyond this the subdivision will not proceed, as I shall show hereafter), is to retard the too rapid increase of population more than any scheme that could be invented, and to retard it in a thoroughly healthy manner.

Among our middle classes a young man will not generally marry as soon as he becomes his own master, if he perceives, that, by waiting, he will be able to secure for his wife and for himself a higher and more comfortable position in society. The hope of getting a larger or a more certain income operates among the middle classes in the majority of instances, by making a young man remain unmarried a few years, and sometimes many years, longer than he otherwise would do.

But among our lower classes no such thought interferes with marriage. As soon as a young peasant can earn his miserable pittance of from seven to nine shillings a week he marries, and thereby increases his own sufferings, and involves his poor young wife and his family in the same pauperism with himself. What good, in the present state of our laws, would a peasant gain if he deferred his marriage? None which is perceptible to his understanding. He knows that, if he could save, he would not be able to make use of his little capital. He knows that all avenues of rising in the world in his own native village are closed to him. He knows that he must die in the same position in which it pleased God he should be born. Having therefore no incentive to self-denial, he practises none. He

marries as soon as he can, and generally by so doing doubles his own difficulties and miseries, and soon increases the poor-rates of his parish.

But, abroad, the peasants know, that if they wait a few years and save, they and their future wives and families will be happier, more respected among their neighbours, and in a more comfortable position in the world, and that they will realise their day-dream, and call a small farm their own. It is not surprising, then, that the peasants do not marry so young in foreign countries as they do here and in Ireland.

Counsellor Reichensperger, writing in the midst of the small proprietors of Prussia, says :<sup>1</sup>—"The desire to found a family is so strong an actuating principle in man's nature, that none but the most powerful considerations, such as the possibility of supporting a wife and children, can restrain the rapid increase of population. These considerations have a very different significance, according to the circumstances of the persons affected by them. Whilst the day labourer or operative considers a future family provided for, and therefore marries, when he can only reckon upon annual wages to the amount of from 80 to 100 thalers ; the man in a better social position will see a hundred comforts and necessities beyond what would have satisfied the poorer man, and without which he considers it impossible to secure a suitable income for himself and for his family. If he cannot see a certainty of securing such an income, and if he cannot calculate with certainty upon providing his children with a social position in life equal to his own, he will, as daily experience shows, forbear, at least for a time, to marry, or, at least, such considerations will not remain without influence upon the future greatness of his family.

"The egotistical wish of persons desirous of marrying not to sink into a lower social position, and the desire of parents to support their children respectably, form the most influential and the most legitimate obstacle to the ever-threatening danger of over-population. These natural and honourable feelings almost always influence those, who have themselves experienced the value of possessions and of a social position, so as to protect them against too early marriages and against too numerous families.

"The day labourer and operative, who have no possessions of their own except their own capability of working, are not affected by the healthy check which I have mentioned above. Every such person leaves his children, however many he may

<sup>1</sup> Die Agrarfrage.

have, in a position similar to his own, and he therefore feels no moral impediment to the founding or increasing of his family, although in reality, owing to the increasing competition of the labourers, the future wages will be lessened.

"It is these labourers, entirely without possessions, whether they live in the towns or in the country districts,—whether they are found in the factories or behind the plough,—who are the really dangerous members of society ; since the increase in their numbers is restrained, not by the sufficiency or insufficiency of the means of subsistence, but only by the extent of their physical powers. The real ground of their dangerous character lies in their freedom from any moral restraint, caused by the hopelessness and poverty of their social position. The evils, with which the position of these classes threaten society, can only be avoided by removing the helplessness and destitution of their social position.

"The simplest, most efficacious, and most legitimate means, by which to attain this great end, is to free landed property from all restrictions preventing its sale, and gradually, and by means of the natural sale of the lands, to enable the labourers to acquire property."

A. Thaer, in his "*Englischen Landwirthschaft*," p. 104, says, "The population will grow more rapidly on great estates than on small ones, because day labourers are more thoughtless about their future than independent peasant proprietors, and, therefore, bring up larger families in the hope of being able to get them supported upon the estate."

Speaking of Geneva, Mr. Chadwick says :<sup>1</sup>—"It is proved in a report of M. Edward Mallet, one of the most able that have been made from the registries of the city of Geneva, that the increase of the population of that city has been followed by an increase in the probable duration of life.

"The probabilities of the continuance of life in Geneva were to every person born,—

	Yrs.	Mths.	Days.
Towards the end of the 16th century . . . . .	8	7	26
In the 17th century . . . . .	13	3	16
1701—1750 . . . . .	27	9	13
1751—1800 . . . . .	31	3	5
1801—1813 . . . . .	40	8	0
1814—1833 . . . . .	45	0	29

<sup>1</sup> Report on the Sanitary Condition of the Labouring Population of Great Britain, p. 175.

"The progression of the population, and the increased duration of life, had been attended by a progression in happiness. As prosperity advanced, *marriages became fewer and later*; the proportion of births were reduced; but greater numbers of the infants born were preserved, and the proportion of the population in manhood became greater.

"It is the practice in Geneva for female servants to delay marriage until they have saved enough to furnish a house, &c. In illustration of this state of things, it is stated that, in 290 out of 956 marriages, *the female was at the time of marriage older than the male*. In the early and barbarous periods, the excessive mortality was accompanied by a prodigious fecundity. In the few last years of the seventeenth century a marriage still produced 5 children and more, the probable duration of life attained was not 20 years, and Geneva had scarcely 17,000 inhabitants. Towards the end of the eighteenth century, there were scarcely 3 children to a marriage, and the probabilities of life exceeded 32 years. At the present time, a marriage only produces  $2\frac{3}{4}$  children, the probability of life is 45 years, and Geneva, which exceeds 27,000 in population, has arrived at a high degree of civilisation and of 'prospérité matérielle.' In 1836 the population appeared to have attained its summit: *the births rarely replaced the deaths*."

Professor Vulliemin, in his statistical account of the canton of Vaud, where all the land is divided into small estates, says, that the mean ages of the persons married in the canton of Vaud from 1837 to 1841, were as follows:—

Years.					Yrs.	Mths.	Days.
1837	{ Men .	.	.	.	30	10	12
	{ Women	.	.	.	27	11	9
1838	{ Men .	.	.	.	32	1	8
	{ Women	.	.	.	28	2	29
1839	{ Men .	.	.	.	30	9	14
	{ Women	.	.	.	28	4	12
1840	{ Men .	.	.	.	31	6	10
	{ Women	.	.	.	28	3	17
1841	{ Men .	.	.	.	31	6	2
	{ Women	.	.	.	27	3	24

As the peasants of this canton are better educated and more prosperous than those of almost any other country in the world, the advanced age at which they marry is peculiarly significant.

One of the manufacturers of Argovie, in speaking to me of the effects of the subdivision of property upon the prudential habits of the town and country poor, said, "The men never marry before the age of twenty-five, and often later; and it is a curious fact that they generally choose for their wives, women who have attained the age of thirty, in preference to younger ones, because they imagine the women of thirty will be more thrifty and better managers."

In 1843, 4680 marriages were celebrated in Prussia, between persons, of whom, either the man or the woman was more than 45 years old. In the same year, 26,836 marriages were celebrated, where the man was more than 45 and the woman less than 45 years of age, or where the woman was more than 30 and the man less than 60; 21,138 men were married, each of whom was more than 30 and less than 35 years of age, and 25,123 women, each of whom was more than 30 years of age.

Of all the persons married in Prussia in 1843, there were—

131,737 men under 45 years of age.

7273 men between 45 and 60 years of age.

1444 men above 60 years of age.

111,396 women under 30 years of age.

25,123 women between 30 and 45 years of age.

3935 women above 45 years of age.

We are not told the ages of the men who married under 45 years of age, but it appears that the majority of them married later in life than their ancestors used to do, and that the customary age for marriage is gradually becoming later than it was formerly. I believe I am about right, when I state 35 to be the average age of marriage in Prussia.

In England, where there is so little intelligence, and, therefore, so little prudence or foresight, and so much misery among the labourers, and where there are so few reasons to induce the peasants to postpone their marriage, the state of things is singularly different.

In England, in 1846, out of 24,356 men married to 24,356 women,—

596 men were under 20 years of age.

11,790 men were just 20 years of age.

6467 men were just 25 years of age.

12464 men were just 30 years of age.

1180 men were just 35 years of age.  
 708 men were just 40 years of age.  
 455 men were just 45 years of age.  
 696 men were more than 45 years of age.

2812 women were under 20 years of age.  
 12,470 women were just 20 years of age.  
 5079 women were just 25 years of age.  
 1849 women were just 30 years of age.  
 897 women were just 35 years of age.  
 596 women were just 40 years of age.  
 328 women were just 45 years of age.  
 425 women were more than 45 years of age.

These statistics show, that in Prussia, one man in every sixteen who marry, is 45 years old, while in England, only one man in every twenty-one who marry, is 45 years old, and nearly half of all the men married every year are not older than 20 years.

We thus see how much later the age of marriage is in Prussia than in England. This alone is an unanswerable proof of the greater prudence and prosperity of the people of Prussia ; for it is always found, that the greater the ignorance of the people, and the less the chance of their improving their condition by present self-denial, the earlier will be the age at which they will enter into the married life.

Counseller Reichensperger, writing in the midst of peasant proprietors, and comparing the results of the two systems,—the English system of great estates in few hands, with laws tending to prevent the peasants and small shopkeepers from obtaining land, and the German system of subdivision of land, and its freedom from all restraints upon its sale—says :<sup>1</sup>—

“By the latter system it is possible for each person to obtain a plot of land of a size corresponding to his ability ; and under it, the position of even a day labourer is by no means one without hope or capability of improvement ; but it is rather one which leads to the acquirement of property and independence, since the labourer, by economy and credit, may easily, under this system, manage to work his way to prosperity and comfort. Where the land is free from all shackles preventing its sale, this result may be seen daily ; and it is by means of this system, that an approximate realisation is obtained, by

<sup>1</sup> Die Agrarfrage, 315.



indirect means, of the socialist idea of the division of goods according to the skill and deserts of the individual.

“The possibility of increasing the size of their little properties stimulates in the highest degree the activity and the progress of the prosperity of the peasants; for the landowner knows no more enviable possession than that of land, and *no stronger inducement to economy than the hope to purchase another acre and to increase his farm*; for he feels that the savings, which are put out at interest, are much less secure than those invested in land.

“But, for the peasant and day-labourer, this possibility of purchasing land, and of thus acquiring independence, is the *only possible inducement in his case to exertion and economy*; and this inducement urges him on much more surely, than all the alms and poor-rates of Great Britain can ever do. . . .

“The contrary system of restriction of the subdivision of land renders the condition of the peasant labourers a hopeless one, while it destroys the natural freedom of both owners and peasants. The freedom of the land from these restrictions, and the industrious spirit which it stimulates, raise the moral character of the people, and, by so doing, exercise the most beneficial influence upon their health, their manners, and their whole mental habits. . . . Where the land is divided into great estates, and kept out of the market by intricate settlements, we never see the prosperous and growing little proprietors, but only day-labourers, or, at best, small tenants at will, who never can feel any real or positive interest in the progressive improvement of the land, or in the prosperity of the state, but who dislike all labour which does not promise to themselves some immediate recompense. The hope, by industry and economy, and by the exercise of all their powers, to prepare a future independence for themselves and their families—this powerful inducement to the improvement of their own and of the public well-being—is unknown to the peasants, where the lands are consolidated in the hands of a few great proprietors, because they see no hope of ever acquiring an acre, or, by so doing, of making a step towards an independent position, which they might afterwards hope gradually to improve by adding bit by bit to the first acquired possession.

“A population condemned in this way to eternal poverty and dependence on others, and deprived of all hope of a happier

future, will know scarcely any other happiness than to devote to mere animal gratifications some few passing moments of their unhappy lifetime ; and, by means of spirituous drinks, to forget the gnawing cares of the coming days, from the impending misery of which they cannot, by the greatest industry, save themselves. . . . These peasants are degraded in mind by their utter dependence upon the landlords. . . . They are uncivilised, and scarcely capable of receiving any mental improvement, because this only goes hand in hand with the improvement of their physical condition ; their bodies exhibit the effects of privations, and of the too frequent resort to their only solace of drinking, of which fact Ireland, and many parts of Great Britain, afford most lamentable instances.

“This peasant class, on account of its great poverty, is deprived of all comforts, and as it consumes very few and very common articles of manufacture, offers no encouragement to the industry of the towns, and scarcely any market for their products.”

Nor does the habit of marrying at a later period of life seem to necessarily increase the amount of immorality among the peasants. The statistics collected by the governments of Germany, Austria, Belgium, and France, show, that fewer illegitimate children are born in Prussia than in any other of the European countries.

From the statistics published by Mr. Porter, and by Herr Dieterici, it appears that there is,—

Illegitimate Births.		Legitimate Births.	
1 to every	.	$9\frac{2}{3}$	in Denmark.
1 „	.	8	in Austria.
1 „	.	4	in Bavaria.
1 „	.	9	in Mecklenburgh.
1 „	.	7	in Saxony.
1 „	.	$7\frac{1}{10}$	in Wurtemberg.
while there is only 1 „	.	13	in Prussia.

There may be, doubtless, much immorality which these statistics do not show ; but there is no sign which discloses its existence, to any great extent, to a traveller in the country.

The carefulness and eagerness to amass of the Swiss peasantry has become proverbial throughout Europe. Englishmen accuse them of sordid penuriousness, yet this is but the natural and healthy effect of that subdivision of land, which renders it pos-

sible for a saving and prudent peasant to make himself a proprietor. The gains of a Swiss, French, Prussian, Saxon, and Dutch labourer, instead of being expended in the alehouse, are added to the stock, which is one day to purchase the garden or the farm.

Mr. Mill says :<sup>1</sup>—"It is not to the intelligence alone, that the situation of a peasant proprietor is full of improving influences. *It is no less propitious to the moral virtues of prudence, temperance, and self-control.* The labourer who possesses property, whether he can read and write or not, has, as Mr. Laing remarks,<sup>2</sup> 'an educated mind ; he has *forethought, caution, and reflection* guiding every action ; he knows the value of restraint, and is in the constant habitual exercise of it.' It is remarkable how this general proposition is borne out, by the character of the rural population in almost every civilised country, where peasant properties are frequent. Day-labourers, where the labouring class mainly consists of them, are usually improvident ; they spend carelessly to the full extent of their means, and let the future shift for itself. This is so notorious, that many persons, otherwise well affected to the labouring classes, hold it as a fixed opinion that an increase of wages would do them little good, unless accompanied by at least a corresponding improvement in their tastes and habits. The tendency of peasant proprietors, and of those who hope to become proprietors, is to the contrary extreme,—to take even too much thought for the morrow. They are oftener accused of penuriousness than of prodigality. They deny themselves reasonable indulgences, and live wretchedly in order to economise. In Switzerland almost every one saves, who has any means of saving. The case of the Flemish farmers I have already mentioned. Among the French, though a pleasure-loving and reputed to be a self-indulgent people, the spirit of thrift is diffused through the rural population in a manner most gratifying as a whole, and which, in individual instances, errs rather on the side of excess than defect. Among those who, from the hovels in which they live, and the herbs and roots which constitute their diet, are mistaken by travellers for proofs and specimens of general indigence, there are numbers, who have hoards in leather bags, consisting of sums in five-franc pieces, which they keep by them a whole generation, unless brought out to be

<sup>1</sup> Principles of Political Economy, vol. i., p. 332.

<sup>2</sup> Residence in Norway, p. 20.

expended in their most cherished gratification—the *purchase of land*. If there is a moral inconvenience attached to a state of society in which the peasantry have land, it is the danger of their being too careful of their pecuniary concerns,—of its making them crafty and ‘calculating’ in the objectionable sense. . . . But some excess in this direction is a small and a passing evil, compared with recklessness and improvidence in the labouring classes, and a cheap price to pay for the inestimable worth of the virtue of self-dependence, as the general characteristic of a people,—a virtue which is one of the first conditions of excellence in a human character—the stock on which, if the other virtues are not grafted, they have seldom any firm root—a quality indispensable, in the case of a labouring class, even to any tolerable degree of physical comfort, and by which the peasantry of France and of most European countries of peasant proprietors are distinguished beyond any other labouring population.

“Is it likely that a state of economical relations, so conducive to frugality and prudence in every other respect, should be prejudicial to it in the cardinal point of increase of population? . . . The true question is, supposing a peasantry to possess land not insufficient, but sufficient for their comfortable support, are they more or less likely to fall from this state of comfort through improvident multiplication, than if they were living in an equally comfortable manner as hired labourers? All *à priori* considerations are in favour of their being less likely. The dependence of wages on population is a matter of speculation and discussion. That wages would fall if population were much increased, is often a matter of real doubt, and always a thing which requires some exercise of the reflecting faculty for its intelligent recognition. But every peasant can satisfy himself, from evidence which he can fully appreciate, whether his piece of land can be made to support several families in the same comfort in which it supports one. Few people like to leave to their children a worse lot in life than their own. The parent, who has land to leave, is perfectly able to judge whether the children can live upon it or not; but people who are supported by wages see no reason why their sons should be unable to support themselves in the same way, and trust accordingly to chance. ‘In even the most useful and necessary arts and manufactures,’ says Mr. Laing,<sup>1</sup> ‘the demand

<sup>1</sup> Notes of a Traveller, p. 46.

for labourers is not a seen, known, steady, and appreciable demand; but it is so in husbandry,' under small properties. 'The labour to be done, the subsistence which that labour will produce out of his portion of land, are seen and known elements in man's calculations upon his means of subsistence. Can his square of land, or can it not, subsist a family? can he marry or can he not? are questions which every man can answer without delay, doubt, or speculation.'"<sup>1</sup>

It is the having no hope and no opportunity of rising in the world, however provident and self-denying a man may be,—it is the feeling that saving can do no good whatever, and that the workhouse will keep them from actual starvation, which is demoralising and pauperising our peasants, which is increasing the numbers of our population so considerably, and which is laying such a heavy poor-rate upon the backs of the already too heavily taxed middle classes.

No writer has ever been more keenly sensible of the injurious effects of over-population upon the labouring classes than Sismondi. It is one of the grounds of his earnest advocacy of peasant properties. He had ample opportunities, in more countries than one, for judging of their effect on population. Let us see his testimony: <sup>2</sup>—"In the countries in which cultivation by small proprietors still continues, population increases regularly and rapidly, until it has attained its natural limits; that is to say, inheritances continue to be divided and subdivided among several sons, as long as by an increase of labour each family can extract an equal income from an equal portion of land. A father who possessed a vast extent of natural pasture, divides it among his sons, and they turn it into fields and meadows; his sons divide it among their sons, who abolish fallows. Each improvement in agricultural knowledge admits of another step in the subdivision of property. But there is no danger lest the proprietor should bring up his children to make beggars of them. He knows exactly what inheritance he has to leave them; he sees the limit beyond which this division would make them descend from the rank which he has himself filled; and a just family pride, common to the peasant (proprietor) and to the nobleman, makes him abstain from summoning into life children for whom he cannot provide. If more are born, at least they do not marry, or they agree among themselves which of several brothers shall perpetuate the family. It

<sup>1</sup> Mill's *Political Economy*, vol. i., p. 336.

<sup>2</sup> *Ibid.*, vol. i., p. 338.

is not found that, in the Swiss cantons, the patrimonies of the peasants are ever so divided as to reduce them below what will afford an honourable competence, although the habit of foreign service, by opening to the children a career indefinite and incalculable, sometimes calls forth a superabundant population.”<sup>1</sup>

Mr. Laing’s testimony respecting the peasant proprietors of Norway is to the same effect. Though there is no law or custom of primogeniture in this country, and no manufactures to take off a surplus population, the subdivision of property is not carried to an injurious extent, and consequently the growth of population, beyond the number which the subdivided land will maintain, is checked. “‘The division of the land among children,’ says Mr. Laing,<sup>2</sup> ‘appears, during the thousand years it has been in operation, not to have had the effect of reducing the landed properties to the minimum size that will barely support human existence. I have counted from five-and-twenty to forty cows upon farms, and that in a country in which the farmer must, for at least seven months in the year, have winter provender, and houses provided for all the cattle. It is evident that some cause or other, operating on the aggregation of landed property, counteracts the dividing effects of partition among children. That cause can be no other than what I have long conjectured would be effective in such a social arrangement, viz., that in a country where land is held, not in *tenancy* merely, as in Ireland, but in full *ownership*, its aggregation, by the death of co-heirs, and by the marriage of female heirs among the body of landholders, will balance its subdivision by the equal succession of children. The whole mass of property will, I conceive, be found in such a state of society, to consist of as many estates of the class of £1000, as many of £100, as many of £10 a year at one period as at another.’ That this should happen, supposes diffused through society a very efficacious prudential check to population; and it is reasonable to give part of the credit of this prudential restraint to the peculiar adaptation of the peasant proprietary system for fostering it.

“But the experience, which most decidedly contradicts the asserted tendency of peasant-proprietorship to produce excess of population, is the case of France. In that country the experiment is not tried in the most favourable circumstances,

<sup>1</sup> Sismondi, *Nouv. Princ.*, book iii., ch. iii.

<sup>2</sup> *Residence in Norway*, p. 18, quoted by Mr. Mill.

a large proportion of the properties being too small." (In France, the law compulsorily *divides* the greatest part of the estate of each proprietor at the time of his death. In the greatest part of Germany, I believe, the law simply prevents the proprietor entailing or tying up his property after his death, or making any disposition of it which would prevent its being sold after his own death. The difference between these two systems is worthy of note.)

"The number of landed proprietors in France is not exactly ascertained, but on no estimate does it fall much short of five millions ; which, on the lowest calculation of the number of persons to a family (and for France it ought to be a low calculation), shows much more than half the population as either possessing, or entitled to inherit, landed property. A majority of the properties are so small as not to afford a subsistence to the proprietors, of whom, according to some computations, as many as three millions are obliged to eke out their means of support, either by working for hire, or by taking additional land, generally on metayer tenure. When the property possessed is not sufficient to relieve the possessor from dependence on wages, the condition of a proprietor loses much of its characteristic efficacy as a check to over-population ; and if the prediction, so often made in England, had been realised, and France had become a 'pauper warren,' the experiment would even then have proved nothing against the tendencies of the same system of agricultural economy in other circumstances. But what is the fact ? That *the rate of increase of the French population is the slowest in Europe.*"

During the thirty years which immediately followed the division of the enormous estates of the old French noblesse among the people, a great increase of population took place. But the rapidity of that increase was soon lessened, and a generation has now grown up which, having been born in improved circumstances, has acquired the habits and tastes of prosperity, and upon them the spirit of thrift operates most conspicuously, *in keeping the increase of population within the increase of national wealth.*

In the following tables, extracted from the work of Mr. Mill, from which I have been quoting, the rate of annual increase of population in several countries is given.

The first table is that taken from Professor Rau's work on the agriculture of the Palatinate.

	Years.	Per Cent.	
United States . . . .	1820-30	2.92	
Hungary (according to Rohrer) . . . .	...	2.40	
England . . . .	1811-21	1.78	
Ditto . . . .	1821-31	1.60	
Austria (Rohrer) . . . .	...	1.30	
Prussia . . . .	1816-27	1.54	This was immediately after the system of peasant proprietors was first introduced into Prussia.
Ditto . . . .	1820-30	1.37	These two numbers show that the annual rate of increase began to diminish as soon as the subdivision of land had proceeded so far as to enable the peasants to acquire land.
Ditto . . . .	1821-31	1.27	
Netherlands . . . .	1821-28	1.28	
Scotland . . . .	1821-31	1.30	
Saxony . . . .	1815-30	1.15	
Baden . . . .	1820-30	1.13	
Bavaria . . . .	1814-28	1.08	
Naples . . . .	1814-24	0.83	
France . . . .	1817-27	0.63	According to Mathien.
		0.55	According to Moreau de Jonnés.

The very slow rate of increase in France so early as 1817, *i.e.*, only about seventeen years after the French peasants had begun to acquire land, is very remarkable.

The second table is given by M. Quetelet,<sup>1</sup> and differs, as Mr. Mill observes, in some items, from the preceding, probably from the author's having taken in those cases an average of different years.

	Increase of Population. Per Cent.	
Ireland . . . .	2.45	
Hungary . . . .	2.40	
Spain . . . .	1.66	
England . . . .	1.65	
Rhenish Russia . . . .	1.33	
Austria . . . .	1.30	
Bavaria . . . .	1.08	
Netherlands . . . .	0.94	
Naples . . . .	0.83	
France . . . .	0.63	
Sweden . . . .	0.58	
Lombardy . . . .	0.45	{ Here all the land is divided among the peasants.

<sup>1</sup> Sur l'Homme et le Développement de ses Facultés, tome i. c. 7.



The third table is from M. Legoyt,<sup>1</sup> and brings up the results for France to the census of the year 1846.

	Increase of Population. Per Cent.
Great Britain (exclusive of Ireland) . . . . .	1.95
Prussia . . . . .	1.84
Saxony . . . . .	1.45
Norway . . . . .	1.36
Sardinia . . . . .	1.08
Holland . . . . .	0.90
Austria . . . . .	0.85
Sweden . . . . .	0.83
France . . . . .	0.68
Wurtemberg . . . . .	0.01

It will be seen, in all these tables, that France, where the law not only allows, but actually to a certain extent *forces*, the subdivision of property, *the increase of population is slower than that of almost every other country in Europe*. Nor is this result caused by any excess of deaths in France, for in another table, given by M. Legoyt, it is shown, that the excess per cent. of births over deaths is annually *twice as great in Great Britain*, even exclusive of Ireland, as it is in France!

Mr. Mill says, "I am not aware of a single authentic instance which supports the assertion, that rapid multiplication is promoted by peasant properties."<sup>2</sup>

Wherever I travelled in North Germany and Switzerland, I was assured by all, that the desire to obtain land, which was felt by all the peasants, was acting as the strongest possible check upon the undue increase of population.

"In England," as Mr. Mill most truly observes, "where the labourer has no investment for his savings but the savings bank, and no position to which he can rise by any exercise of economy, except, perhaps, that of a petty shopkeeper, with its chances of bankruptcy, there is nothing at all resembling the intense spirit of thrift, which takes possession of one who, being a day-labourer, can raise himself, by saving, to the condition of a landed proprietor." . . . The hope of buying a piece of land, he continues to observe, "is the most powerful of inducements, to those who are without land, to practise the industry, frugality, and self-restraint, on which their success in this object of rational

<sup>1</sup> Journal des Economistes, for May 1847.

<sup>2</sup> Principles of Economy, vol. i.

ambition is dependent. In Flanders, according to Mr. Fauché, the British consul at Ostend, 'farmers' sons, and those who have the means to become farmers, will delay their marriage until they get possession of a farm.' Once a farmer, the next object is to become a proprietor. 'The first thing a Dane does with his savings,' says Mr. Browne, the consul at Copenhagen, 'is to purchase a clock, then a horse and cow, which he hires out, and which pay good interest. Then his ambition is to become a petty proprietor; and *this class of persons is better off than any in Denmark*. Indeed, I know no people in any country, who have more easily within their reach, all that is really necessary for life than this class, which is very large in comparison with that of labourers.'

"As the result of this inquiry into the direct operation, and indirect influences, of peasant properties, I conceive it to be established, that there is no necessary connection between this form of landed property, and an imperfect state of the arts of production; that it is favourable in quite as many respects as it is unfavourable to the most effective use of the powers of the soil; that no other existing state of agricultural *economy has so beneficial an effect on the industry, the intelligence, the frugality, and prudence of the population, nor tends, on the whole, so much to discourage an improvident increase of their numbers*; and that no other, therefore, is, on the whole, so favourable, in the present state of their education, both to their moral and their physical welfare."<sup>1</sup>

It was by introducing the system of small properties, that the great ministers of Prussia, Stein and Hardenburg, raised the peasants of Prussia and Prussian Poland, from a state precisely analogous to that of the Irish peasantry in the present day, to their present happy and flourishing condition. It is this system which, as I have before shown, has raised the condition of the Saxon peasants so much above that of their neighbours, the Bohemians; which has raised the French *peasants* from that wretched condition in which all writers of the time of Louis XV. declare them to have been then sunk, to their present prosperous, tranquil, and conservative status in society; and which has made the Dutch and Swiss Protestant peasants what all writers represent them now to be, viz., intensely industrious, self-denying, and prosperous. It is the existence of a precisely opposite system, which is the principal cause of the miseries,

<sup>1</sup> Principles of Political Economy, vol. i., p. 346.

turbulence, and bad cultivation of Ireland ; and, in the opinion of all continental thinkers, it is to the repeal of all laws preventing the sale and division of land in Ireland, that we can alone look for any radical improvement in the condition of the peasants of that country. The character of a people is dependent only upon surrounding institutions and circumstances. No people are naturally depraved. If we wish to raise the character of Irishmen, we must change, and that radically, the institutions of Ireland.

The description of the parish of Montreux, near Vevay, on the Lake of Geneva, given by Mr. Laing,<sup>1</sup> is a fair illustration of the manner in which small farms and diffused intelligence tend to foster the prudential habits of the peasants of Holland, Germany, and Switzerland. That intelligent writer says, "The parish of Montreux is divided into three communes or administrations. In that in which I am lodged, Veytaux, there is not a single pauper, although there is an accumulated poor-fund ; and the village thinks itself sufficiently important to have its post-office, its fire-engine, and its watchman ; and it has a landed population around. . . .

"The parish is one of the best-cultivated and most productive vineyards in Europe, and is divided in very small portions among a great body of small proprietors. What is too high up the hill for vines is in orchard, hay, and pasture-land. There is no manufacture, and no chance work going on in the parish. These small proprietors, with their sons and daughters, work on their own land, know exactly what it produces, what it costs them to live, and whether the land can support two families or not. Their standard of living is high, as they are proprietors. They are well lodged, their houses well furnished, and they live well, although they are working men. I lived with one of them two summers successively. This class of the inhabitants would no more *think of marrying without means to live in a decent way*, than any gentleman's sons or daughters in England ; and indeed less, because there is no variety of means of living, as in England. It must be altogether out of the land. The class below them, again, the mere labourers or village tradesmen, are under a similar economical restraint,—which it is an abuse of words to call a moral restraint. The quantity of work, which each of the small proprietors must hire, is a known and filled-up demand, not very variable. There is no corn-farming, little or

<sup>1</sup> See his *Notes of a Traveller*.

no horse-work, and the number of labourers and tradesmen, who can live by the work and custom of the other class, is as fixed and known as the means of living of the landowners themselves. There is no chance living—no room for an additional house, even, for this class, because the land is too valuable and minutely divided to be planted with a labourer's house, if his labour be not necessary. All that is wanted, is supplied; and until a vacancy naturally opens, in which a labourer and his wife could find work and house-room, he cannot marry. The economical restraint is thus quite as strong among the labourers, as among the class of proprietors. Their standard of living, also, is necessarily raised by living and working all day along with a higher class. They are clad as well, females and males, as the peasant proprietors. The costume of the canton is used by all. This very parish might be cited as an instance of the restraining powers of property, and of the habits, tastes, and standard of living which attend a wide diffusion of property among a people, on their own over-multiplication. It is a proof that a division of property by a law of succession different in principle from the feudal, *is the true check upon over-population.*"

This is a fair picture of three-fourths of the parishes of Holland, Prussia, Saxony, and the Protestant cantons of Switzerland. There can be no doubt whatever, that the great intelligence of the lower orders, joined to the system of small estates, which puts it within the power of a peasant, who can exercise present self-denial, to become a proprietor, conduce in forming the strongest of all possible checks upon improvident marriages, and upon the too rapid growth of population. The following account of the Belgian peasant farmers, by Mr. Nicholls, late one of the Poor Law Commissioners, and now one of the two secretaries of the Poor Law Board, applies with equal truth to the educated peasant farmers of Holland, Switzerland, and Germany. "The labour of the field, the management of the cattle, the preparation of manure, the regulating the rotation of crops, and the necessity of carrying a certain portion of the produce to market, call for the constant exercise of industry, skill, and foresight among the Belgian peasant farmers; and to these qualities they add a rigid economy, habitual sobriety, and a contented spirit, which finds its chief gratification beneath the domestic roof, from which the father of the family rarely wanders in search of excitement abroad. It was most gratify-

ing to observe the comfort displayed in the whole economy of the households of these small cultivators, and the respectability in which they lived. As far as I could learn, there was no tendency to the subdivision of the small holdings. I heard of none under five acres held by the class of peasant farmers; and six, seven, or eight acres is the more common size. *The provident habits of these small farmers enable them to maintain a high standard of comfort, and are necessarily opposed to such subdivision. Their marriages are not contracted so early as in Ireland, and the consequent struggle for subsistence among their offspring does not exist. The proprietors of the soil retain the free and unrestricted disposal of their property, whether divided into smaller or larger holdings.*"<sup>1</sup>

The effects of this system are also visible in the small number of beggars to be seen in most parts of North Germany, and of the Protestant cantons of Switzerland. In Saxony and the Protestant provinces of Prussia this is particularly remarkable. It is very rarely indeed that a traveller in these countries ever sees a badly clothed person, or is ever accosted by a mendicant. Even Mr. M'Culloch, the able and decided opponent of the system of peasant proprietors, in speaking of the state of the poor of Switzerland, says,<sup>2</sup> "In most instances the communes have poor-funds administered independently of the cantonal government" (*i.e.*, funds which are generally the collections of private charity); "but if these are not sufficient a poor-rate is levied. *This rate is always limited, being, in Zurich, no more than 2½d. a year from each individual.* The number of poor appears to be on the decrease; and it is only in Uri, Tessin, Valais, and one or two other cantons that pauperism is at all common."

In the canton of Berne, about £250,000<sup>3</sup> was paid in the year 1840 in relief of the poorer classes; but this sum included all that the canton disbursed in the same year in the cantonal hospitals, in some of the schools for poor children, and in grants to assist those peasants who had lost property by inundations and sudden accidents. When this is deducted, it is apparent that no great sum was expended in that year in the relief of actual pauperism, even in the canton of Berne with its 400,000 inhabitants. The following facts will give some further idea of

<sup>1</sup> Inquiry into the Condition of the Poor in Holland and Belgium, p. 166.

<sup>2</sup> Geog. Dict., title Switzerland.

<sup>3</sup> I believe this is about the average yearly expenditure in this canton.

the small amount of pauperism in those parts of Switzerland, where the land is subdivided, and where the people are well educated, as compared with the amount of pauperism in England.

In 1834 the population of the canton of Vaud was about 180,000. In that year about 1s. 3d. a head, upon the whole population of the canton, was expended in the relief of the poor, whilst in England, in the same year, without reckoning all the enormous sums expended in the same way from private sources, more than £6,000,000, raised by the poor rates, were expended in relieving the poor, or about 9s. a-head on the whole population! In that year, therefore, in a given number of people, there was about seven times more pauperism in England than in the same number of people in the canton of Vaud.

In 1834, in the canton of Vaud, each person in the receipt of public funds received upon the average £1. In five parishes of the canton, there was no person in receipt of public assistance. More than half of the families, who were assisted, received less than 13s. each, so that, as Professor Vulliemin says, these families, with a very small increase of earnings, or with a very small decrease of expenditure, were able to support themselves.

Herr Pupikofer, in speaking of pauperism in the canton of Thurgovie, says:<sup>1</sup>—"One finds scarcely anywhere in this canton great poverty. The number of paupers is very small. Whoever will work may find employment. The wages of labourers rise. The occupations and industry of the people increase. Agriculture is becoming more productive and profitable. The people are well clothed. They build better houses. They have more food and drink than they require."

In the canton of Argau, in 1839, the funds expended in the relief of paupers amounted to about *eightpence* per head, on the whole population of the canton. In 1841, in England, when there was less pauperism than in almost any preceding year, the expenditure per head in Wiltshire, Berkshire, Buckinghamshire, Sussex, Essex, and Dorsetshire, amounted to between 9s. 6d. and 10s. per head upon the population of those counties; while the expenditure of the kingdom upon pauperism, in 1841, amounted to 6s. 2d. per head upon the whole population, and this, be it remembered, exclusive of all the immense sums expended by private charity, for the relief of the destitution of our labourers. In truth, there is no country in Europe which

<sup>1</sup> Gemälde der Schweiz. Thurgau.

expends a tithe of the enormous sums which are sunk by the unions and by private charity in England, in the vain endeavour to stop the increase of a pauperism which our own legislation is fostering.

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5. *The Education of the Peasants and the Division of the Land tend very greatly to Improve the Cultivation of the Land.*

It is a common error in England to confound small tenants-at-will, holding little bits of land under and at the will of a landlord, who can turn them out when it pleases him, with *owners* of small estates.

When any one in England talks of peasant proprietors being always prosperous wherever they are to be found, people point to Ireland, and say, "Well, but look at the wretched state of the poor tenants in Ireland!"

But the poor Irish are not *proprietors*. There is the greatest possible difference between the social and moral effects of small estates, *belonging* to the persons dwelling upon them, and of small pieces of land held by tenants at the will of a landlord. The peasant proprietor knows that every penny of his family's earnings which he expends upon his land is safely invested. He is not scared from laying out money on improvements, by the fear lest a landlord—or the agent or bailiff of a landlord—should step in and turn him out of possession, before he has reaped the return for his expenditure. On the contrary, he knows that his land is his own, until he chooses to sell it, and that, consequently, every hour's labour, and every extra penny spent upon his little plot of land, will benefit either himself or his children.

This is the great distinction between peasants like the Irish, renting small plots of land as tenants, dependent upon the will of a landlord, or, still oftener, of the sub-agent of a landlord, and uncertain how long they will be allowed to hold the land, and small proprietors like the German, Dutch, Norwegian, Danish, Swiss, and French peasantry, who own their little plots, who are certain of continuing in possession and enjoyment of them, as long as they live, or until they choose to sell them, and who know that either they themselves or their children will derive the benefits and returns of every improvement and outlay which they make upon their estates.

The Irish tenant is not willing to spend time or money in the improvement of his holding, for he does not feel sure that he will derive the benefit of such improvement. He is not much interested in the good cultivation of his land, for he knows that it is quite uncertain how long he will be allowed to retain it in his possession. The land is not his own, and does not inspire him with that interest in its improvement which the feeling of *ownership* always conveys. He does not know how soon the rent may be raised so as to compel him to abandon his possession. If the present agent is a kind and just man, the peasant lessee does not know how soon another agent may be appointed in his place of a different character, who would compel him to desert his improvements and outlay by unfairness or exaction. The Irish peasant's feeling is : The land is not mine ; it may not be in my possession long ; it is quite uncertain how soon some unforeseen accident may deprive me of it ; I do not care to improve it and take care of it for the sake of my landlord ; I feel no further interest in it than just to get every pennyworth out of it I can, at the smallest outlay possible.

A small *proprietor's* situation is altogether different. He feels the same kind of interest in his little property which a gentleman does in his park, but in a higher degree, because the peasant proprietor feels more acutely than the other that the subsistence of himself and his family depends entirely upon the produce of the land. He is urged to improve the condition of his farm to the uttermost, because he knows that the more he improves it, the better will be his means of supporting his family, and the greater the comfort, happiness, and respectability of his wife and children. He knows that he or his children are *certain* to reap the benefit of every extra hour's labour, and of every extra pound spent upon the farm. He feels, too, a kind of pride in making his land look better than, or at least as well cultivated as, his neighbour's, and in thus showing off his own skill and science. He is better acquainted with every square yard of his estate, and with all its wants and requirements, than a great proprietor is with each field on his estate. He turns every square yard to some use or other, knowing that the greater his produce the more comfortable will be his position. While the great proprietor would laugh at being so particular as to grumble at the waste of square yards of territory, as the rich man laughs at the economy of a penny, the peasant pro-



prietor endeavours to turn every morsel of his property to some account. He looks with interest on each little portion of his estate, and devotes to its cultivation as much energy and care as is spread, so to speak, over a tenfold greater surface by the great proprietor. This is one of the reasons why, as I shall show in the sequel, the *gross* produce of a piece of land cultivated by a number of peasant proprietors is found to be always much greater than the *gross* produce of an equal quantity of land cultivated by one great proprietor.

Reichensperger, in his "Die Agrarfrage," has devoted a great part of one chapter to explain the great difference between the situations of the Irish labourer and the German peasant proprietor. He shows very powerfully, that while the latter has every possible motive for exercising economy, and for deferring his marriage, in order first to save funds for the purchase of his farm, and afterwards to save time and funds for its cultivation; while he is intensely interested in the improvement of the farm which *belongs* to himself, and does not hesitate to expend his savings and labour upon it; while his dress, food, and house are all good and improving; and while his position is one of comfort, independence, and security; the Irish labourer is entirely dependent upon the will of an agent or a landlord; that he feels no temptation to save, or to expend his savings upon his land, as he does not know how long it may be in his possession; that he has no inducement to defer marriage, as he knows that he cannot attain a better social position by so doing, as all he can hope for is to become the tenant-at-will of some small plot of ground; that his house, his dress, and his manner of living, are utterly wretched and barbarous, owing almost entirely to that demoralising sense of the hopelessness of his situation, which has reduced him to this condition; that he lives on the lowest and poorest kind of food; and that the next step below him is famine and death!

Kraus, another German writer on the subject of agriculture, says,<sup>1</sup> "The small proprietor, who knows intimately every spot and corner of his little estate, who regards it with all that interest which property in land, and especially in a small piece of land, always inspires, and who finds an actual pleasure and enjoyment in not only cultivating but in beautifying it; he it is, who of all farmers and landowners, is the most industrious,

<sup>1</sup> Quoted by Reichensperger in his "Die Agrarfrage," p. 79.

the most intelligent. and the most successful in improving the cultivation of his estate."

I do not wish to insinuate by anything that I say in this work, that great estates are *necessarily* evils, and the effects of bad legislation. Nothing could be further from my thoughts. What I hope to prove is; 1st, that it is a very great evil that the small shopkeepers and peasants of any country should be *prevented* by the laws from acquiring land; and that such is the result of our legislation in Great Britain and Ireland; and 2dly, that to free land from all regulations preventing its sale or transmission from man to man, is to enable the peasants and small shopkeepers to acquire land, and by enabling them to do this, to stimulate their habits of prudence and economy, to strengthen their conservative feelings, to make their life more hopeful and healthy, to reduce very considerably the amount of pauperism and immorality among the lower classes of society, *and to increase very considerably the productiveness of the land itself.*

To prevent the upper classes of society acquiring more than a certain fixed quantity of land, or wealth of any kind, would be to destroy one of the most powerful inducements to energy, industry, intelligence, and conservative circumspection, and to introduce a system of fraud and chicanery,—for any such attempt would be often evaded by one of these latter methods. But although this is true, still it must be confessed, that there is a mean, between the extreme measure of preventing the upper classes acquiring more than a certain quantity of land, and the other extreme, of preventing the small shopkeepers and peasants acquiring any land at all. It is this mean which I am going to consider, such as it exists in Germany.

I do not deny that a greater amount of produce may be obtained, in proportion to the capital and labour employed in production, upon a large than upon a small *leasehold* farm.

But there can be no doubt that five acres, the *property* of an intelligent peasant, who farms it himself, in a country where the peasants have learnt to farm, will always produce much more per acre, than an equal number of acres will do when farmed by a mere *leasehold* tenant. In the case of the peasant proprietor, the increased activity and energy of the farmer, and the deep interest he feels in the improvement of his land, which are always caused by the fact of *ownership*, more than compensate the advantage arising from the fact, that the capital required

to work the large farm is less in proportion to the quantity of land cultivated, than the capital required to work the small farm. In the cases of a large farm and of a small farm, the occupiers of which are both tenants of another person, and not owners themselves, it may be true, that the produce of the large farm will be greater in proportion to the capital employed in cultivation, than that of the small farm; and that, therefore, the farming of the larger farm will be the most economical, and will render the largest rent to the landlord.

But even in this case, viz., where the occupiers are both tenants and not owners, it is too often forgotten that the want of small farms deprives the peasants of all hope of improving their condition in life, cuts away the next step in the social ladder, deprives them of all inducement to exercise self-denial, habits of saving and foresight, or active exertion, exceedingly pauperises and demoralises them, very greatly increases the local poor-rates and the county-rates, and in this way very often deprives the farmers of more than all the extra gains, which they would otherwise derive from the more economical system of large farms.

So that, even in the case of *tenant* farmers, I am certain,—and the reports upon Flemish husbandry bear me out in this assertion,—that the system of small farming is the most moral and civilising, if it is not also the most economical system, for a country to pursue.

Reichensperger, himself an inhabitant of that part of Prussia where the land is the most subdivided, has published a long and very elaborate work to show the admirable consequences of a system of freeholds in land. He expresses a very decided opinion, that not only are the *gross* products of any given number of acres, held and cultivated by small or peasant proprietors, greater than the *gross* products of an equal number of acres held by a few great proprietors and cultivated by tenant farmers, but that the *net* products of the former, after deducting all the expenses of cultivation, are also greater than the *net* products of the latter. He thinks that this result is to be attributed to the following causes :—

1. The extraordinary interest which the small proprietor feels in his little estate. It is this which makes himself and every member of his family not only willing, but desirous, to devote every leisure moment, and every hour of daylight, to the improvement and cultivation of his plot of ground, and which urges

him to avail himself of every little circumstance which can by any possibility increase the productiveness of his land, and which, in minute care, in cleanliness, in economy of ground, and of contrivances, and in beauty of appearance, raises his farming to the perfection of garden cultivation.

2. The extraordinary pains which are always taken by peasant proprietors to collect, prepare, and employ manures.

3. The much greater quantity of small products, such as eggs, butter, milk, honey, vegetables, and fruit, which are obtained from a given quantity of land cultivated by small proprietors, than from an equal quantity of land cultivated by large proprietors, or by the tenants of such proprietors.

4. That while, on the estates of great proprietors, acres of land often lie totally unemployed and uncultivated from want of capital, or from neglect, or from wasteful farming; not a single square yard of ground is neglected or uncultivated upon the estate of the small proprietor, but every *smallest* piece of ground is turned to some account, and, if capable of any cultivation, is forced to produce all that industry can possibly win from it.

5. That even the hedges and the sides of the public roads are made available for the purposes of production, and are planted thickly with fruit trees, which richly requite the labours of the farmers; while in countries where the land is in the hands of few and great proprietors—our own for example—the thousands and millions of hedgerows are filled with useless brambles and underwood, and are made the breeding-places of quantities of destructive vermin.

6. To the above-mentioned causes, enumerated by Reichensperger, may be added another:—That the particular kind of tillage, viz., spade-labour, often pursued by peasant proprietors, of itself greatly increases the productiveness of the ground. The spade breaks and pulverises the soil much more finely than the plough and harrow do, and mixes the manure or lime with it much better. Fewer seeds are, therefore, choked or smothered, the grain shoots better and grows stronger, and the produce of any given number of acres is very considerably increased.

After having enumerated the above-mentioned advantages of the subdivision of land among the cultivators themselves, Reichensperger says,<sup>1</sup>—“The beautiful valley of the Rhine, with

<sup>1</sup> Die Agrarfrage, p. 46.

the greatest part of its neighbouring provinces, is there, fully to bear out and prove what I have said. Wurtemberg, Switzerland, Belgium, Lombardy, and, above all, the luxuriant fields of Tuscany and Lucca, all show that the above description of the blessings and happiness resulting from a wise and intelligent system of small proprietors is far behind the prosperous reality."

He mentions one fact, which seems to prove that the fertility of the land, in countries where the properties are small, must be rapidly increasing. He says that the price of land which is divided into small properties in the Prussian Rhine provinces, is much higher, and has been rising much more rapidly, than the price of land on the great estates. He and Professor Rau both say that this rise in the price of the small estates would have ruined the more recent purchasers, unless the productive-ness of the small estates had increased in at least an equal proportion; and as the small proprietors have been gradually becoming more and more prosperous, notwithstanding the increasing prices they have paid for their land, he argues, with apparent justness, that this would seem to show that, not only the *gross* profits of the small estates, but the *net* profits also, have been gradually increasing, and that the *net* profits per acre, of land, when farmed by small proprietors, are greater than the net profits per acre, of land when farmed by great proprietors. He says, with seeming truth, that the increasing price of land in the small estates cannot be the mere effect of competition, or it would have diminished the profits and the prosperity of the small proprietors, and that this result has not followed the rise.

Albrecht Thaer, another celebrated German writer on the different systems of agriculture, in one of his later works,<sup>1</sup> expresses his decided conviction, that the *net produce* of land is greater, when farmed by small proprietors, than when farmed by great proprietors or their tenants. He says, "Where real industry and moderate means are found among small proprietors, and where these latter are not fettered by unwise legislation or overburdened with taxation, there the land cultivated by the hands or under the immediate supervision of the small proprietor himself, will not only produce *more, as every one is willing to concede*, but will also yield a *greater net profit*, than land cultivated by great proprietors or their tenants."

This opinion of Thaer is all the more remarkable, as during

<sup>1</sup> Grundsätze der rationellen Landwirthschaft.

the early part of his life he was very strongly in favour of the English system of great estates and great farms.

But whether the *net* produce of land cultivated by peasant proprietors be greater than its *net* produce when cultivated by great proprietors, or not, all accounts agree in showing that the cultivation and productiveness of the land has very much improved, and is in a state of progressive improvement, wherever trade in land has been rendered free, and wherever the peasants have been enabled to acquire.

The peasant farming of Prussia, Saxony, Holland, and Switzerland is the most perfect and economical farming I have ever witnessed in any country. No pains, no means, are spared to make the ground produce as much as possible. Not a square yard of land is uncultivated or unused. No stones are left mingled with the soil. The ground is cleared of weeds and rubbish, and the lumps of earth are broken up with as much care as in an English garden. If it is meadow land, it is cleaned of noxious herbs and weeds. Only the sweet grasses, which are good for the cattle, are allowed to grow. All the manure from the house, farm, and yard is carefully collected and scientifically prepared. The liquid manure is then carried in hand-carts like our road watering carts into the fields, and is watered over the meadows in equal proportions. The solid manures are broken up, cleared of stones and rubbish, and are then properly mixed and spread over the lands which require them. No room is lost in hedges or ditches, and no breeding-places are left for the vermin which in many parts of England do so much injury to the farmers' crops. The character of the soil of each district is carefully examined, and a suitable rotation of crops is chosen, so as to obtain the greatest possible return without injuring the land; and the cattle are well housed, are kept beautifully clean, and are groomed and tended like the horses of our huntsmen.

All authorities upon the subject of agriculture in Prussia agree, that the cultivation of the land, before the creation of the peasant proprietor class, was very much inferior in its results to its state at the present day. Much more is obtained from the land now than formerly, and the land is less impoverished, owing to the more skilful rotation of the crops.

Before the Prussian Government was induced to try the great experiment of enabling the peasants to obtain land, and of creating a great class of peasant proprietors, it endeavoured to

improve the condition of agriculture throughout the kingdom by advancing great sums of money to the great landed proprietors, with the view of enabling them to introduce better systems of farming upon their lands. Reichensperger says,<sup>1</sup>—"Frederic II. gave away very considerable sums of money for the encouragement of agriculture. According to the minister, Von Stertzberg, between the years 1763 to 1786, the sums advanced in this manner amounted to 24,399,838 thalers. The province of Pomerania alone received 5,500,000 thalers; and the aristocracy of that province alone received 4,500,000 thalers. 'And yet these sums of money given by Frederic to the Pomeranian nobles, to enable them to improve the cultivation of their lands, have in reality done no good; but have often, indeed, been most injurious in their effects.'"<sup>2</sup>

Professor and Regierungsrath Dr. Shubert, in his admirable work,<sup>3</sup> says,—“Prussia has excited throughout all her provinces a singular and increasing interest in agriculture, and in the breeding of cattle; and if in some localities, on account of peculiar circumstances, or of a less degree of intelligence, certain branches of the science of agriculture are less developed than in other localities, it is, nevertheless, undeniable, that an almost universal progress has been made in the cultivation of the soil and in the breeding of cattle. No one can any longer, as was the custom thirty years ago, describe the Prussian system of agriculture by the single appellation of the three-year-course system; no one can, as formerly, confine his enumeration of richly-cultivated districts to a few localities. In the present day there is no district of Prussia in which intelligence, persevering energy, and an ungrudged expenditure of capital has not immensely improved a considerable part of the country for the purposes of agriculture and of the breeding of cattle.”

Dr. Shubert shows what is being done at the present day to improve the system of agriculture still more. Several large agricultural colleges, and a great number of agricultural schools, have been founded and endowed in different parts of Prussia, where the sons of the farmers study the sciences of agriculture and of agricultural chemistry. A great number of agricultural societies have been formed also; and by means of the funds of

<sup>1</sup> Die Agrarfrage, p. 306.

<sup>2</sup> Vgl. Möglin'sche Jahrbücher der Landwirthschaft von A. Thaer.

<sup>3</sup> Handbuch der Allgemeinen Staatskunde des Preussischen Staats, vol. ii. p. 5.

these societies, lecturers and practical farmers are retained to travel about the country, to give lectures in farming, and to aid the farmers with information and advice.

It appears from Dr. Dieterici's "Statistics of Prussia," that the arable land of Prussia

Produced in 1805 . . .	44,000,000	scheffels of grain.
„ in 1831 . . .	55,000,000	„
„ in 1841 . . .	68,000,000	„

This alone proves that the land of Prussia has produced much more since a great part of it has been divided among the peasants, than it did when it was all held by a few great proprietors; and this fact is still more significant, when we consider that the increase in the amount of grain produced by the land is much greater than the increase in the numbers of the population.

The increase in the numbers of the Prussian population, since 1805, may be thus represented—

Years . . . . .	1805	1831	1843
Population . . . . .	1	$1\frac{3}{10}$	$1\frac{1}{2}$

while the increase in the quantity of grain produced in Prussia, since 1805, may be thus represented—

Years . . . . .	1805	1831	1841
Grain produced . . . . .	1	$1\frac{1}{2}$	$1\frac{3}{4}$

from which it is evident that the increase, since 1805, in the quantity of grain produced in Prussia is much greater, than the increase during the same period in the numbers of the population.

Professor Rau, of Heidelberg, has published a small work on the agriculture and on the social condition of the peasant proprietors of that part of Germany which lies upon the Rhine and Neckar, and which we know by the name of the Palatinate. I would strongly advise every one to read this little book. It contains a striking corroboration of the account which I am giving of the German peasants. Professor Rau says, that the land of the Palatinate is so much subdivided, that many of the plots are not more than *one* acre, while the majority of the little estates vary between twenty acres and one acre in size. Yet, with this excessive subdivision, how does he describe the state of agriculture and the condition of the people?



After saying,<sup>1</sup> that this part of Germany has long been celebrated for its skilful and scientific farming, he continues thus : “Whoever travels hastily through this part of the country must have been agreeably surprised with the luxuriant vegetation of the fields, with the orchards and vineyards which cover the hillsides, with the size of the villages, with the breadth of their streets, with the beauty of their official buildings, with the cleanliness and stateliness of their houses, with the good clothing in which the people appear at their festivities, and with the universal proofs of a prosperity, which has been caused by industry and skill, and which has survived all the political changes of the times.”

“There can be no doubt of the excellence of the system of agriculture pursued there.”

“Of the labour bestowed upon the land, it may be said, that it is generally expended with a high degree of industry and skill. The unwearied assiduity of the peasants,—who are to be seen actively employed the whole of every year and of every day, and who are never idle, because they understand how to arrange their work, and how to set apart for every time and season its appropriate duties,—is as remarkable, as their eagerness to avail themselves of every circumstance and of every new invention which can aid them and their ingenuity in improving their resources are praiseworthy. It is easy to perceive that the peasant of this district really understands his business. He can give reasons for the occasional failures of his operations ; he knows and remembers clearly his pecuniary resources ; he arranges his choice of fruits according to their prices ; and he makes his calculations by the general signs and tidings of the weather.”

According to Professor Rau, the position of even the daily labourers has improved since 1817, as the price of the necessities of life has, since that time, fallen more than the wages of the labourers. He says, that even the labourers live more comfortably, take better care of their children, and are better able to save than they were formerly ; that they eat more meat and puddings and more cheese than they did forty years ago ; and that their manner of living is generally much better than it was then.

He gives a curious and minute account of the way in which the peasants collect the dung of the stables, cowsheds, and

<sup>1</sup> *Landwirthschaft der Rheinpfalz.*

houses; and he shows how scientifically they prepare the different kinds of manures, and apply them to the different descriptions of lands.

Speaking of their economical manner of collecting and preparing manure, Professor Rau says, "As the cows are not generally fed in the meadows, but in the sheds, none of their dung is lost."

"The bedding of the cattle generally lies under them from one to two days, but not longer. It is then carried out to the dung-heap, and, after lying there about six weeks, is carried out upon the lands."

These peasant proprietors know exactly how much manure each acre of their land requires for its good cultivation. They know also how much manure they can obtain annually from each head of cattle. If the number of cattle, which one of the small farmers possesses, is not large enough to furnish sufficient manure for the whole of his land, he reckons how much he shall require, and purchases so much from those of his neighbours who have more than they require.

All the waste water of the house, the stables, the cowsheds, the pigsties, and the farmyards is collected in conduits made on purpose upon every farm, and is carried along these conduits, sometimes to a well made on purpose to receive it, and sometimes to the dung-heap. It is, however, generally, and in Switzerland always, collected in a well which is made in the farmyard for its reception. A small pump is put down into this well, and by its means the liquid manure is pumped up into small watering-carts, and is carried in these on to the land, and regularly scattered over the well-broken soil.

In England and Wales millions of pounds' worth of manure are lost every year in our farmyards, from the lack of science among our farmers, and from the little interest which the greater part of even our greater leasehold farmers feel in agricultural improvements.

One objection, which has been always urged with great eagerness and apparent force against the system of subdivision of land and small farms, is that the small farmers are too poor to possess themselves of the expensive machines which science has invented and will invent, and which enable their possessors to economise labour and time, to carry out great agricultural improvements at a small expense, and to perform many important agricultural operations which cannot be performed without them.

This objection, however, is more specious than true. The more intelligence advances among the small proprietors, by means of the agricultural colleges and of the schools of agricultural chemistry, which are being founded throughout Germany, Switzerland, Belgium, and Holland, for the express purpose of training the children of the peasant farmers in the science of agriculture, and which are raising up a class of small proprietor farmers, who, for the knowledge of agriculture, put to shame the majority of our large tenant farmers—the more, I repeat, intelligence advances by these means among the small proprietors, the better will they understand how to combine among themselves, so as to help one another to carry out those particular operations which require an accumulation of capital for their successful prosecution.

As Counsellor Reichensperger says, “There is nothing to prevent small proprietors availing themselves of the more costly agricultural machines, if several of them unite in the purchase of them, and keep them for common use. It is always a very easy matter, so to arrange the agricultural operations of several farms, that one machine may perform them all without putting any of the proprietors to any inconvenience.”

This opinion of Reichensperger is worthy of all the more consideration, as he is living among a nation of small proprietors, and as he has devoted a considerable period of time to the study of their condition and of its capabilities of improvement.

He further says, that the parts of Europe where the most extensive and costly plans for watering the meadows and lands have been carried out in the greatest perfection, are those where the lands are very much subdivided, and are in the hands of small proprietors. He instances the plain round Valencia, several of the southern departments of France, particularly those of Vaucluse and Bouches du Rhone, Lombardy, Tuscany, the districts of Siena, Lucca, and Bergamo, Piedmont, many parts of Germany, and the district of Siegenshen, in all which parts of Europe the land is very much subdivided among small proprietors. In all these parts great and expensive systems and plans of general irrigation have been carried out, and are now being supported by the small proprietors themselves; thus showing how they are able to accomplish, by means of combination, work requiring the expenditure of great quantities of capital.

The following interesting account of the character of farm-

ing in the Prussian Rhine Provinces is given by Mr. Banfield :<sup>1</sup>—

“ The first study of every good farmer in Germany is the local part of his task, the influence of soil and climate. In the uplands of Clèves the climate is dry, and the sun hot in summer ; the soil is strongly charged with limestone ; cow-dung is found to answer better for winter crops, or at least cow-dung mixed with horse-dung better than the latter alone : for this reason, oxen are kept as draught cattle all along the Rhine. The dung-heap in the centre of the farmyard is the point on which the greatest care is concentrated for good farming establishments. It usually lies in a deep sloped pit, enclosed by stone walls on three sides, the bottom rising gradually to the level of the yard on the fourth side, to allow of the approach of the dung-cart. Into this pit the drains from all the offices are led, and waste of all kinds is thrown upon it. The plan of stall-feeding, but especially the care taken to keep the beasts clean (they are rubbed down every day like horses), prevents their being allowed to tread the heap down. Straw is likewise much economised, as it is used to mix with the oats during the winter. The mixture of cow and horse-dung, with the flow of cold moistening matter, prevents the fermentation that would otherwise arise in the heap, and cause much of its value to evaporate. After the fallow-ploughing, the manure is only just ploughed in sufficiently deep to cover it. Top-dressings are a good deal in use amongst good farmers for grain crops.

“ At Goch, as well as in other well-managed farms in this district, compost heaps are to be seen in all yards ; the substances used for one resembled a mixture we have seen in some parts of Ireland. A heap of quicklime is covered all over with turf-ashes, or with wood-ashes, from the house-stoves. Water is thrown over the heap, and, after a few days, the lime, in fermenting, shows itself through the ashes ; the heap is then turned over, again covered with ashes, and watered ; and this process is repeated until the lime is thoroughly slaked ; the mass is then mixed with sand or earth, or other compost heaps, and forms an excellent top-dressing.

. . . . “ The number of stock kept is large, even on those uplands where there is little grazing. One horse for twenty acres is the proportion of the best farmers ; but then fifteen to twenty-five oxen and cows would be the smallest number of

<sup>1</sup> Agriculture on the Rhine, p. 16.

horned cattle on one hundred acres, with one to two hundred sheep. On a *peasant's farm of fifty acres, we have found four horses, fifteen head of horned cattle, and seventy to eighty sheep.*

"In following the use to which the farmer puts this manure, we come to the distinguishing feature of Rhenish agriculture. No peculiar crop is here prescribed by legislative enactment, and the climate admits of a sufficient variety to allow the landowner to draw all the help he can from the nature of his soil. The uplands of Clèves are particularly well suited to grow barley. In the autumn, the land of this description is well ploughed and manured, and in the following spring barley and clover are sown; the grain obtains the highest price in the Dutch market. It is not unusual to turn the cows on the stubble; but each is fastened by the stable-chain to an iron stake driven into the ground, to prevent straying, as the lots are small in these parts, and no fences are to be found. . . .

"The second year gives a rich clover crop, partly for stall-feeding, in part to be saved as hay, and the third (sometimes the second) cutting gives the seed known in England as Dutch clover seed, from the circumstance of its passing through Holland on its way to London and Hull. When the seed has ripened and been housed, the clover is broken up, and after several ploughings, wheat is sown, which is followed by rye. Turnips are sown in the rye stubble; and the fifth year begins the rotation again with potatoes, followed by barley and clover in the highly-manured soil. In soils less peculiarly suited to barley (which recommends itself as a profitable article of exportation), wheat and rye follow potatoes or flax, and are followed by oats. Cabbages and carrots often alternate with potatoes as fallow crops, and are richly manured; and in most large farms the two rotations go on side by side on lands of differing qualities. Perhaps the absence of expensive farming favours the study of the peculiar nature of the soil, which is evidently severely tried by the rotations we have described. Where composts with marl or lime are used as top-dressings, the rotation is usually prolonged, and the rye crop is repeated and followed by oats. It is common to top-dress the barley, after it has germinated, with compost or with liquids. . . .

"The land is made to bear the utmost that nature without forcing admits. Horned cattle are used in abundance, but are not forced in fattening, and the average weight of an ox does not exceed forty stone."

Again, the same writer says,<sup>1</sup> "In the great occupation of turning to the best account the soil and climate given to them by Providence, the peasant of the Rhine stands untutored, except by experience. And could the tourist hear these men in their blouses and thick gaiters converse on the subject, he would be surprised at the mass of practical knowledge they possess, and at the caution and yet the keenness with which they study these advantages. Of this all may rest assured, that from the commencement of the offsets of the Eifel, where the village cultivation assumes an individual and strictly local character, good reason can be given for the manner in which every inch of ground is laid out, as for every balm, root, or tree, that covers it."

Reichensperger also bears testimony to the great prosperity of the small proprietors of the Rhine Provinces of Bavaria. He says,<sup>2</sup> "The condition of the agriculture and of the agricultural classes of the Rhine Provinces of Bavaria is in most respects analogous to that of the Rhine Provinces of Prussia, and most strongly attests the good results of the system of small proprietors in the former provinces. Even a superficial observation of this populous, flourishing land, which, under the industrious hands of its numerous small proprietors, and under the influence of a system of free trade in land, produces all the products of middle Europe in the richest abundance, proves the truth of this statement."

The same writer, residing among the peasant proprietors of the Rhine Provinces of Prussia, describes the state of the farms before the subdivision of the land, and the effect of this subdivision in those provinces, in the following manner.<sup>3</sup> This account is worthy the greatest consideration.

"If we observe the effect of the subdivision of land in the Rhine Province, a merely hasty glance at the handsome and well-built villages, and the luxuriant orchards and fields, will suffice to show that the new agrarian regulations have by no means, as their opponents have alleged, plunged the land into poverty and suffering, but that they have, on the contrary, exercised the most beneficial influence upon the cultivation of the land and upon the condition of the people.

"The indivisibility of the estates was never formally established in this province by any laws or customs ; but large estates became consolidated and tied up either in aristocratic families

<sup>1</sup> Agriculture of the Rhine, p. 81.

<sup>2</sup> Die Agrarfrage, p. 419.

<sup>3</sup> Reichensperger, Die Agrarfrage, p. 403.

or in spiritual or temporal corporations. These great estates were generally let out for short periods of time to farmers, *and were almost without exception wretchedly cultivated*. Although the rents of the farms were very small and were seldom increased, yet the farmers' families, upon even the largest farms, were scarcely ever in a prosperous condition, but existed in great deprivation of even the necessities of life, and without being able to lay by anything. They were not able to bear the least adversity ; and it was necessary that even a dead horse should be replaced by the assistance of their landlords, if the farmer was not to be ruined by his loss, as he could not save enough to buy another himself. The land was burdened with many dues, partly feudal and partly in form of rents to private individuals, which, together with the tithes, prevented all improvement of the land.

“ To this miserable, almost stationary state of things, followed, in the beginning of the present century, the subdivision of the land, which was originated by the French Revolution, and was principally caused by the sale of the so-called national property. Out of a single farm, which formerly secured to the farmer only a miserable existence, were formed very quickly, by means of speculation and division, small estates for four or more families, who, notwithstanding that the price of the land now much exceeded the value of the former farm, as calculated by the rent it paid, attained in a short time a prosperous condition. The handsome dwelling-houses and farm buildings, which arose on all sides on the sites of the old farmhouses—the enlarged villages, and their improved internal arrangement, proved that the succeeding and more numerous proprietors of the land obtained from it much more produce than the prior tenant farmers had been able to do. . . . The cattle-breeding was now improved from year to year, and, by means of the great number of small but intelligent and active landowners possessed generally of sufficient capital, the old agricultural system gradually gave place to a clearer, more intelligent, and more rational system of husbandry. A tolerably equally divided prosperity, equally removed from the suffering of pauperism and from the superfluity of wealth, was the consequence of these changes ; and if the prosperity of the larger towns has increased still more rapidly, the country districts have experienced the influence of this improvement in the increasing consumption of raw products. . . . The country people of the Rhine Province and the people

of the neighbouring provinces, who enjoy a system of free proprietorship of land, may, in the face of the world, be proud among their hills and valleys, which they have made so happy in appearance, and in their clean and comfortable villages ; they may point with pride to the men whom they furnish to the yearly military levies ; they may boast themselves of the propriety of their social life ; nor need they fear comparison with any other race, if we except the incomparably prosperous inhabitants of Styria, the Tyrol, and Switzerland" (in all which countries the peasants are proprietors), "who, in activity, happiness, and freedom, have no equals. The inhabitants of the Rhine Provinces feel themselves to be the proprietors of the soil which they cultivate. This fact distinguishes them greatly, in every intellectual and physical respect, from the peasant labourers who possess nothing of their own, and who at this day, in the same manner as hundreds of years ago, cultivate and labour for the great proprietors without any hope of improvement."

The inhabitants of the Rhine Province are themselves so convinced of the benefits which they derive from the subdivision of the land among the peasants, that, in 1841, the representative assembly of the province rejected, by a majority of 49 to 8 representatives, a proposition made to them by the Prussian government to restrain the subdivision of the land. The same feeling has been manifested throughout Prussia, whenever the government has attempted, as it has done on several occasions, to found a Prussian landed aristocracy, by introducing a plan like that in force in our country, whereby to accumulate great estates, and to retain them for many generations in the same family. The middle and lower classes in Prussia are so conscious of the benefits they derive from the opposite system, and have therefore always offered so strong an opposition to any hint at a change, that the government, powerful and arbitrary as it was prior to 1848, has not ventured to carry out what it had so much at heart.

Some have thought that a country, the land of which is very much subdivided, will not support so many cattle as one the land of which is cultivated in great estates. This, however, is satisfactorily disproved by many statistics, and particularly by the statistics of the numbers of horses, cows, sheep, &c., supported in Prussia in different years since the land was first subdivided.



From these statistics it appears that, notwithstanding that the quantity of grain produced in Prussia has increased so very considerably of late years, the numbers of horses, cows, oxen, and sheep have been also increasing in a very remarkable manner since the land was released from the laws which prevented its subdivision. If we compare the statistics published by the Statistical Bureau in Berlin, and quoted by Reichensperger, it appears that the numbers of horses, cows and oxen, sheep, and pigs in the whole of Prussia in different years were as follows :—

Years.	Horses.	Cows and Oxen.	Sheep.	Pigs.
1831 . .	1,374,594	4,446,368	11,965,675	No return.
1837 . .	1,472,901	4,838,622	15,338,977	1,936,304
1843 . .	1,564,554	5,042,010	16,235,880	2,115,212

while the increase, since 1816, in that part of Prussia where the land is subdivided the most, viz., the Rhine Province, has been greater than that of any other part of Prussia. The following table shows what the increase has been since 1816 in the Rhine Province :—

Years.	Horses.	Cows and Oxen.	Sheep.	Pigs.
1816 . . .	94,564	609,960	535,754	195,466
1831 . . .	109,642	711,126	490,721	214,870
1843 . . .	122,318	776,453	575,193	277,087

In 1843 the Minister of the Interior of Prussia presented to the king a report upon the condition of agriculture in Prussia, in which it is said, that the system of peasant proprietors, which was introduced into Prussia by Frederic William III., has greatly improved the condition of the peasants both intellectually and socially, and that it has not failed in its expected effect upon the material prosperity of the country, but has undeniably increased the activity and enterprise of all people engaged in agriculture, and has been the cause of the visibly growing prosperity of the people.<sup>1</sup>

“The wonderful progress which Prussian agriculture has made, since the laws of Frederic William III. were issued, and owing to them, in the province of Brandenburg, was forcibly described at the third meeting of the German Agricultural Association at Potsdam, in 1839, by Herr Koppe, a member of

<sup>1</sup> Reichensperger, *Die Agrarfrage*, p. 397.

the National Economical Association, and one thoroughly well acquainted with the state of agriculture in that province."<sup>1</sup>

Herr Koppe says, that the new system has produced greater results upon the large estates of Brandenburg than upon the small ones. As the results on the larger estates of freeing the land from all restraints upon its sale and transmission from a man of little capital and intelligence, to a man of more capital and intelligence, he enumerates the following :—The abandonment of the old and unscientific customs ; the diffusion of a knowledge of the science of agriculture ; the increasing observance of the results of experience ; better arrangement of the land ; employment of better agricultural implements and machines ; a more scientific management and employment of manures ; an increase in the amount of manure ; better cultivation of the meadows ; perceptible improvement in the breeding, feeding, and management of the cattle ; introduction of new and useful agricultural methods ; and, as a consequence of all this, higher rents and higher price of land. The speech of Herr Koppe is too long for insertion in this work ; it may be found in Reichensperger's work.

Counsellor Doenniges expresses his conviction of the happy results of this system in the most decided manner. He says, that the so often opposed divisibility of the land has led to happy results, and has formed, so to speak, a ladder by which the peasants and small proprietors may rise in the social scale, and increase the size of their estates.<sup>2</sup>

The Geh. Ob. Reg. Rath. Lette bears his testimony in like manner to the same effect. He said, at the seventh meeting of the German Agricultural Association, that they had all been reconciled to the new system of agrarian regulations ; and that their admirable results had carried conviction to the minds of all.<sup>3</sup>

A ministerial paper, laid before the provincial assembly of the Rhine Province, bears witness to the same effect. It says that the new agrarian regulations have removed all impediments to the progress of agriculture, and that they have tended to improve the cultivation of the land so much, as to have, in 1843, raised the marketable value of the land, since 1828, about 75 per cent.<sup>4</sup>

Geh. Ob. Reg. Rath. Bethe, who, in 1836, made a report to

<sup>1</sup> Reichensperger, *Die Agrarfrage*, p. 397.

<sup>3</sup> *Ibid.*

<sup>2</sup> *Die Agrarfrage*, p. 400.

<sup>4</sup> *Ibid.* p. 409.

the government upon the condition of the Rhine Province, confirms by his testimony the truth of the former accounts. He says that the division of the land in that province has been the cause of improvement and progress. This official reporter mentions one place, the district surrounding the town of Duren, which is divided into very small parcels, and in the neighbourhood of which there are some large manufactories, and he says of it, that the prosperity of this district has increased to such a degree that no change of the present system can possibly be desired.<sup>1</sup>

In the Protestant cantons of Switzerland not a foot of waste land is to be seen. Wherever anything will grow, something useful is made to grow. It is curious to see the singular pains bestowed upon the lands. The men are often assisted by their whole households in cultivation. From early in the morning until late in the evening the peasants labour on their farms. The workmen of the towns, who possess plots, turn out in the evenings after their day's labour is over, when they may be seen weeding, digging, cleaning, and watering with all the zest and eagerness of competitors for a prize. In many of the Swiss towns the greater part of the workmen who are forty years of age possess plots of land, which they have purchased with the savings laid by before marriage.

In Saxony it is a notorious fact, that during the last thirty years, and since the peasants became the proprietors of the land, which they formerly held as the Irish hold their little leaseholds, viz., from and at the will of owners of great estates, there has been a rapid and continual improvement in the condition of the houses, in the manner of living, in the dress of the peasants, and particularly in the culture of the land. I have twice walked through that part of Saxony called Saxon-Switzerland in company with a German guide, and on purpose to see the state of the villages and of the farming, and I can safely challenge contradiction, when I affirm that there is no farming in all Europe superior to the laboriously careful cultivation of the valleys of that part of Saxony. There, as in the cantons of Berne, Vaud, and Zurich, and in the Rhine Provinces, the farms are singularly flourishing. They are kept in beautiful condition, and are always neat and well-managed. The ground is cleaned, as if it were a garden. No hedges or brushwood encumber it. Scarcely a rush or thistle or a bit of rank grass is to be seen.

<sup>1</sup> Die Agrarfrage, p. 412.

The meadows are well watered every spring with liquid manure, saved from the drainings of the farmyards. The grass is so free from weeds that the Saxon meadows reminded me more of English lawns, than of anything else I had seen. The little plots of land belonging to the peasantry lie side by side, undivided by hedge or ditch or any other kind of separation. The peasants endeavour to outstrip one another in the quantity and quality of the produce, in the preparation of the ground, and in the general cultivation of their respective portions ; and this very rivalry tends to improve all the more the system of tillage and the value of the crops.

All the little proprietors are eager to find out how to farm so as to produce the greatest results ; they diligently seek after improvements ; they send their children to the agricultural schools in order to fit them to assist their fathers ; and each proprietor soon adopts a new improvement introduced by any of his neighbours.

A proprietor of a small plot of land does this because he feels that any improvement which he makes, is so much gain for himself and his family. A lessee of a small plot of land acts otherwise, because he knows that it is uncertain whether he or his landlord will reap the benefit of his improvements ; because he knows that his improvements will, sooner or later, be taken possession of by the landlord ; and because he cannot feel the same interest in improving the condition of a plot belonging to another, as he would if the plot belonged to himself.

If any one has travelled in the mountainous parts of Scotland and Wales, where the farmers are only under-lessees of great landlords, without security of tenure, and liable to be turned out of possession with half-a-year's notice, and where the peasants are only labourers without any land of their own, and generally without even the use of a garden ; if he has travelled in the mountainous parts of Switzerland, Saxony, and the hilly parts of the Prussian Rhine Provinces, where most of the farmers and peasants possess, or can, by economy and industry, obtain, land of their own ; and if he has paid any serious attention to the condition of the farms, peasants, and children of these several countries, he cannot fail to have observed the astonishing superiority of the condition of the peasants, children, and farms in the last-mentioned countries.

The miserable cultivation, the undrained and rush-covered

valleys, the great number of sides of hills, terraces on the rocks, sides of streams, and other places capable of the richest cultivation, but wholly disused, even for game preserves ; the vast tracts of the richest lands lying in moors and bogs and swamps, and used only for the breeding-places of game, and deer, and vermin, while the poor peasants are starving beside them ; the miserable huts of cottages, with their one story, their two low rooms, their wretched and undrained floors, and their dilapidated roofs ; and the crowds of miserable, half-clad, ragged, dirty, uncombed, and unwashed children, never blessed with any education, never trained in cleanliness, or morality, and never taught any pure religion, are as astounding on the one hand, as the happy condition of the peasants in the Protestant cantons of Switzerland, in the Tyrol, in Saxony, and in the mountainous parts of the Prussian Rhine Provinces, is pleasing upon the other, where every plot of land that can bear anything is brought into the most beautiful state of cultivation ; where the valleys are richly and scientifically farmed ; where the manures are collected with the greatest care ; where the houses are generally large, roomy, well-built, and in excellent repair, and are improving every day ; where the children are beautifully clean, comfortably dressed, and attending excellent schools ; and where the condition of the people is one of hope, industry, and progress.

There can be no doubt that, if the mountainous parts of Wales and Scotland were subjected to a system of laws similar to those of Norway, Germany, France, and Switzerland ; and if the peasants of Wales and Scotland were able to purchase land, that the mountainous parts of the latter countries would yield at least *six times* as great a produce as they do at present, while the character of the people would, in the course of two generations, be greatly improved.

Those who have not travelled in hill-countries inhabited by peasant proprietors, can have no idea how mountains may be cultivated. Mr. Gleig,<sup>1</sup> when speaking of Saxony, says, " There is, perhaps, no country in the world where more is made of the land than in Saxony. Every spot of earth which seems capable of giving a return is cultivated, and the meadows are mowed twice or thrice in the course of each summer. You never meet with such a thing as a common or a waste, while the forests are all guarded with a strictness proportionate to their value."

<sup>1</sup> Germany, i. 237.

And even Mr. M'Culloch himself says, "Landed properties are rather of limited size; but in all the rural districts the people appear to be contented, and, on the whole, comfortable: *pauperism* is rare."<sup>1</sup> The same writer, although so earnest an advocate of the system of great estates, in speaking of the famous Prussian edict of 1811, which enabled the peasants of Prussia to become proprietors, and which broke up the old great-estate system, says, "*It has given a wonderful stimulus to improvement.* The peasantry, relieved from the burdens and services to which they were previously subjected, and placed, in respect of political privileges, on a level with their lords, have begun to display a spirit of enterprise and industry that was formerly unknown. Formerly, also, there were in Prussia—as there have been in England and in most other countries—a great extent of land belonging to towns and villages, and occupied in common by the inhabitants. While under this tenure, these lands rarely produced a third or a fourth of what they would produce were they divided into separate properties and assigned to individuals, each reaping all the advantages resulting from superior industry and exertion. The Prussian government, being aware of this, has succeeded in effecting the division of a vast number of common properties, and has thus totally changed the appearance of a large extent of country, and created several thousand new proprietors. The want of capital, and the force of old habits, rendered the influence of these changes in the outset less striking than many anticipated; but these retarding circumstances have daily diminished in power, *and it may be safely affirmed that the country has made a greater progress since 1815, than it did during the preceding hundred years.*"

Once enable the peasants to purchase land, and you triumph over sterility. The vast arid prairie plains of Prussia, with a deep sandy soil, bare of hedges, and almost bare of trees, excepting where the forests grow for the supply of fuel, have been thus forced to yield their increase. From the railways, as you pass along the surface of these prairies, your eye meets cultivation everywhere. Flourishing villages, of houses as large as those occupied by our farmers, divide the plains between them; no trees overshadow the cornlands; no old tenures prevent the farmers cutting down all which either impede the course of the plough or the rays of the sun, or which take up

<sup>1</sup> Ge. g. Dict. title Saxony.

ground better employed in other ways than in growing wood. The farmer, in fine, is free to do whatever will secure him the largest return from his land. In Saxony and Switzerland it is very curious to observe how, under the influence of the division of the land and its release from the feudal tenures, cultivation, and that, too, of the most scientific kind, has forced its way up the mountainsides on to every little ledge where a meadow could be made, into the glades of the forests, upon the little corners of land left by the streams and rivers, and over every bog and moor. You find meadows, pasturages, and gardens where in Wales, Westmoreland, Ireland, or Scotland, there would be only a bleak hillside or a barren moor. A traveller in these countries will not find common lands left waste or useless ; or great patches left uncultivated from want of drainage ; or meadows where the grass grows rank and mixed with weeds from the want of an embankment to turn off the waters of a passing stream ; or great strips wasted and encumbered by broad and vermin-filled hedges, with wide and useless ditches on each side.

Wherever there is soil there is also cultivation ; and where there is no soil the peasants often bring some.

It is singular to see the odd places where meadows of the most beautiful grass are laid out in Switzerland. You may ascend the mountains for a whole day, and often, after having left behind you belt after belt of forest, growing for the supply of fuel, up above them all, as high as soil is found, you will still see green pastures, which have been brought into cultivation by the indefatigable industry of the peasants. Up, too, upon the rocky ledges, whence you would imagine it would be difficult to let down the produce, grass is grown for winter consumption in the valleys. No difficulties deter the peasant if he can make the spot his own, and if he can win anything from it by any amount of labour. Waste lands and badly cultivated spots cannot exist long where the possessors of land are not trammelled by a system of tenures like our own, but where they are at liberty to dispose of their lands, whenever they feel it for their interest to do so, and where the peasants can, by prudence and self-denial, make themselves proprietors.

In Saxon Switzerland, the government of Saxony possessed a number of barren heath-clad hills, which had never been brought into cultivation, and which, by many persons, were supposed to be quite unfit for cultivation. The government

gave notice, a few years ago, that it would grant portions of the sides of these hills to any peasant, who would cultivate them, on the following conditions :—

For three years no rent was to be paid for the land ; afterwards the cultivator might either purchase it at a certain rate fixed and specified, or he might rent it from government at a small annual payment, the amount of which was to bear a certain fixed proportion to the produce obtained from the land. The scheme has succeeded admirably. Whole hillsides have been taken by the peasants, and brought into cultivation. The moorlands have been drained ; the stones have been carried away ; the land has been well trenched, and has become very valuable. This shows how enterprising an intelligent peasantry will prove, when their efforts are not impeded by legislation or by old feudal prejudices. Were we to enable the Irish peasant to make himself a proprietor, we should in twenty years alter the character of Ireland. The peasants would become conservative, orderly, and industrious ; the moor and waste lands would disappear ; cultivation would spread its green carpet over the bogs and mountains ; and that now unhappy island would become a powerful arm of Great Britain. But so long as we subject the Irish peasantry to the present under-lessee system, so long will they be a turbulent, idle, and disaffected people, and so long will Ireland be a drain upon the imperial treasury, and a cause of weakness to the empire.

It would astonish the English people to see how intensely the peasants of France, Germany, Switzerland, and Holland labour on their fields. The whole of the farmer's family assists. It is not an unwilling drudgery, but a toil in which they feel pleasure ; for they know that the harder they labour, the greater will be their profits, and the better will be their means of subsistence. There is always something to be done. When they can work on their fields, they are opening drains, breaking up lumps of earth, spreading manures, digging, cleaning, weeding, sowing, or gathering in the harvest. When they cannot work in their fields, they are putting their farmyards and farm-buildings into order, whitewashing (this they are very fond of doing), repairing walls, mixing or preparing manures, or doing something in preparation for some of their outdoor operations. They do all this, be it remembered, for themselves ; and they take real pleasure in their work, and do it ten times better and ten times more expeditiously than the poor, hired, and ignorant



peasants of England, who have nothing to look forward to, but to remain peasants for ever, without any interest in the soil ; or even than the farmers of England who farm the land of another, having often no lease of it, and scarcely any security for any expenditure upon it, and who seldom care anything about either their land or their buildings, except to get as much out of them, and with as small an outlay as possible.

The governments of Western Europe are doing a great deal to enable the peasant proprietors to acquire a knowledge of the best systems of agriculture and management of cattle.

The cantonal governments of Switzerland have been earnestly engaged for several years in establishing, in various parts of the country, great schools, where the children of the farmers may be educated, at a very trifling expense, in the science of agriculture. I went over several, in company with M. de Fellenberg and M. Vehrli. I have described them more fully in the chapter on Swiss education.

To each of these institutions are attached a large farm, barns, cowsheds, farmyards, orchards, a plentiful supply of the best farm implements, a laboratory, and class-rooms. The greatest portion of the expense of maintaining them is defrayed by the cantonal governments. Many of the sons of the peasant farmers enter these institutions after leaving the primary schools. They remain in them from one to three years. They learn there, agricultural chemistry and practical farming. They are taught how to analyse earths ; how to mix and manure them, so as to make them as fertile as possible ; how to prepare and collect manures ; how to drain land ; how to tend and fatten cattle ; how to manage the dairy ; how to breed cattle, so as best to improve the stock ; how to vary the succession of crops, so as to make the most of particular soils ; how to prune fruit-trees ; and, in fact, the whole science of farming. Is it surprising that farmers educated in such a manner should be much more skilful, and should make much more out of their lands, than the farmers of our country ? Similar colleges are being established throughout Germany.

But this is not all that is being done in foreign countries, in order to secure a scientific system of farming among the peasant proprietors.

All the teachers of the village schools, as I shall hereafter show, are prepared for their duties in the villages, by a long and very careful preparation in the Normal colleges.

Among other things which they learn in many of these colleges, are botany, the art of pruning, and the art of gardening ; and in some of them, as in the Bernese Normal College, they are taught and practised in farming.

This is done for two purposes ; first, in order to strengthen their sympathies for the peasants, among whom they have in after-life to labour, by accustoming them to all the habits of the peasants ; and, secondly, in order to enable them to give the children in the village schools a rudimentary knowledge of pruning, gardening, and farming, so as to insure their being taught, at least, the first principles of these arts, and so as to stimulate their interest in them, and to teach them that there is a right and a wrong way of conducting them. Boys who have received these ideas in early life will not afterwards scoff at instruction, but will always be ready, not only to receive, but to seek out, advice and assistance.

Science is welcomed among the small farmers of foreign countries. Each is so anxious to emulate and surpass his neighbours, that any new invention which benefits one, is eagerly sought out and adopted by the others.

The system of agriculture, therefore, good as it is among these intelligent peasant proprietors, is not at a standstill, but is making rapid progress. The governments, poor as they are, have ample funds to devote to the best possible education of all classes.

No one who has travelled through the Rhine Provinces of Germany, through Prussia, Saxony, Holland, the Protestant cantons of Switzerland, and some of the Catholic cantons, as Soleure, Zug, and the upper part of the valley of the Rhone, can possibly deny the excellence, or the progressive improvement of the cultivation of the soil.

The small farms round Berne, and in Saxon Switzerland, are so beautifully managed, that a traveller is tempted to believe them to be the property of rich men, who keep them up for their own amusement, and do not mind spending upon them in order to make them neat and good-looking. Not that there is really much expended on mere beautifying, but that everything is carefully kept in order, as by proprietors who feel an interest and a pride in their little properties.

In some parts of Switzerland the farm-buildings are much plainer and much poorer than in others, as, for instance, in the Ober Vallais ; but in most parts the same careful and beautiful

cultivation is to be seen, and the same degree of interest is displayed by the proprietors in the condition of their little estates. Among these intelligent peasants who labour on their own lands, there is no need to get up ploughing matches, to offer premiums for the best crops, for the largest turnips, or for the finest potatoes ; or to get up cattle shows and prize exhibitions, in order to promote a good system of farming. The peasant farmers feel themselves too immediately interested in the state of their farms to need such inducements to exertion as these ; as they know that all they expend upon their little estates is a safe investment, and will be returned tenfold to themselves or to their children. This feeling stimulates the peasant proprietors of Germany, Holland, Switzerland, and France to spend their earnings upon their lands, to adopt every discoverable means of improving their systems of tillage, to send their children to the agricultural schools, and to bring them up in habits of industry and economy.

I have spent a great deal of time among the peasant proprietors in different parts of Europe. I have resided or travelled about among them in North, South, and West Prussia, in North and South Holland, in Belgium, in the valleys of Switzerland, Styria, and the Tyrol, in Saxony, Bavaria, and upon the banks of the Rhine.

In all these countries the same evidences of progress and improvement may be seen among the peasants ; viz., a laboriously careful tillage of the fields, and cultivation of the gardens ; large, good, and substantial houses for the peasantry ; orderly and clean villages ; and great industry. I was assured, in the Rhine Provinces and in Saxony, that the face of the country had quite changed, since the laws tending to prevent the sale and division of the landed property had been altered ; and that the system of farming, the character of the houses, and the condition of the peasants, had progressively improved and were still improving. Certainly, the appearance of the villages, houses, farms, and peasantry was singularly satisfactory. The cultivation of the land was as beautiful and perfect as I have ever seen. The careful manner in which the sods were broken up upon the ploughed fields, and the way in which all the weeds, stones, and rubbish were removed from the ground, in which every disposable bit of ground was brought under cultivation, and in which the land was drained of all superabundant moisture and manured, filled me with surprise at what Professor Rau most

truly calls, the "superhuman industry," "das übermenschliche fleisz," of the peasants.<sup>1</sup>

Owing to the care with which the peasants constantly water their meadows with the liquid manures, which they collect and prepare in the farmyards, and which they carry out to their lands in small hand watering-carts, and spread over the lands in equal proportions, and owing also to the care with which they clear the ground of stones, rubbish, and noxious grasses, the meadows attain a remarkable luxuriance of verdure, and yield a peculiarly rich and innocuous hay, for the food of the well-stalled cattle during the winter months.

During the summer months, in the valleys of Switzerland, the Tyrol, and Styria, as the snow gradually melts off the mountains, the cattle are driven higher and higher, to eat up the sweet grass of the mountain pasturages, while that of the valley meadows grows for the winter store of hay. The cattle leave the villages towards the end of spring, followed by two or three families, who accompany them from pasturage to pasturage as the snow melts, and who change their residence from one *châlet* or log-hut to another, as the cattle get higher into the mountains. Those who attend the cattle, milk them, make the milk into butter and cheese in the mountain *châlets*, and send it down to the villages by the young men who carry up, at regular intervals, from the village, provisions for the consumption of the guardians of the cattle. In this way the cattle and their guardians gradually ascend the mountains, from pasturage to pasturage, until the middle of August; and then, in the same manner, when the snow begins to descend in the higher pasturages, they gradually descend, and re-enter the village about the end of the month of September, when the cattle are housed for the winter. The day of the return of the cattle and their guardians is a grand gala-day in the villages, and is celebrated with great rejoicings. The

<sup>1</sup> I only wish I could persuade my readers to go and *stay* in Saxon Switzerland, and examine for themselves the state of the peasant proprietors of that country. If a man wishes to ascertain the effect of a country's institutions, and the condition of a people, it is ridiculous for him to satisfy himself with merely passing through the country. I met, in 1848, at a *table d'hôte* at Ostend, an English traveller, who had just returned from Saxony; I asked him what he thought of the condition of the peasants there. "Oh," he replied, "they're a miserable and wretched people, ground to the earth by their rulers." "I am surprised," I ventured to observe, "to hear you express such an opinion of them, as I have spent some time in two several years among them, and I certainly thought I had never seen so happy or so flourishing a peasantry." "Oh very likely, very likely," he eagerly replied, "I don't know much about them. I stayed only three days there, and I don't speak the language."

cattle are driven in from the mountains garlanded with flowers, and with bells hung round their necks ; the peasants assemble in their gayest attire ; and processions are formed to welcome back again the young people who have been so long absent, and the cattle, which are one great source of the prosperity of the village.

In speaking of peasant proprietors, Sismondi, in his "*Etudes sur l'Economie Politique*," says, "Wherever are found peasant proprietors, are also found that ease, that security, that independence, and that confidence in the future, which insure at the same time happiness and virtue. The peasant, who, with his family, does all the work on his little inheritance, who neither pays rent to any one above him, nor wages to any one below him, who regulates his production by his consumption, who eats his own corn, drinks his own wine, and is clothed with his own flax and wool, cares little about knowing the price of the market ; for he has little to sell and little to buy, and is never ruined by the revolutions of commerce. Far from fearing for the future, it is embellished by his hopes ; for he puts out to profit, for his children, or for ages to come, every instant which is not required by the labour of the year. Only a few moments, stolen from otherwise lost time, are required to put into the ground the nut, which in a hundred years will become a large tree ; to hollow out the aqueduct, which will drain his field for ever ; to form the conduit, which will bring him a spring of water ; to improve, by many little labours and attentions bestowed in spare moments, all the kinds of animals and vegetables by which he is surrounded. This little patrimony is a true savings-bank, always ready to receive his little profits, and usefully to employ his leisure moments. The ever-acting powers of nature make his labours fruitful, and return him a hundredfold. The peasant has a strong sense of the happiness attached to the condition of proprietor. Thus he is always eager to purchase land at any price. He pays for it more than it is worth ; but what reason he has to esteem at a high price the advantage of thenceforward always employing his labour advantageously, without being obliged to offer it cheap ; and of always finding his bread when he wants it, without being obliged to buy it dear !

"The peasant proprietor is, of all cultivators, the one who obtains most from the soil ; for it is he who thinks most of the future, as it is he who is the most enlightened by experience ; it is he also who makes the greatest profit of human labour. . . .

Of all cultivators he is the happiest. Moreover, on a given space land never produces so much food, or employs so many inhabitants without being exhausted, as when they are proprietors. Lastly, of all cultivators, the peasant proprietor is the one who gives most encouragement to commerce and industry ; for he is the richest."

The same author says again,<sup>1</sup> "When one travels through the whole of Switzerland, and through several parts of France, Italy, and Germany, it is not necessary to inquire, when looking at a piece of land, whether it belongs to a peasant proprietor, or to a farmer holding it under a landlord. The land of the peasant proprietors is marked out by the care bestowed upon it, by the growth of the vegetables and fruits useful to a peasant's family, and by the neatness and perfection of the cultivation."

Mr. Nicholls, in speaking of the small farms of Belgium, says,<sup>2</sup> "In the farms of six acres, we found no plough, horse, or cart ; the only agricultural implement, besides the spade, fork, and wheelbarrow, which we observed, was a light wooden harrow which might be dragged by hand. The farmer had no assistance besides that of his wife and children, excepting sometimes in harvest, when we found he occasionally obtained the aid of a neighbour, or hired a labourer at a franc per day. The whole of the land is dug with the spade, and trenched very deep, but as the soil is light, the labour of digging is not great. The stock on the small farms, which we examined, consisted of a couple of cows, a calf or two, one or two pigs, sometimes a goat or two, and some poultry. The cows are altogether stall fed, on straw, turnips, clover, rye, vetches, carrots, potatoes, and a kind of soup made by boiling up potatoes, peas, beans, bran, cut hay, &c., into one mass, and which, being given warm, is said to be very wholesome, and to promote the secretion of milk. . . . The small farmer collects in his stable, in a fosse lined with brick, the dung and urine of his cattle. He buys sufficient lime to mingle with the scouring of his ditches, and with the decayed leaves, potato-tops, &c., which he is careful to collect, in order to enrich his compost, which is dug over two or three times in the course of the winter. No portion of the farm is allowed to lie fallow, but it is divided into six or seven small plots, on each of which a system of rotation is adopted ; and thus, with the aid of manure, the powers of the soil are main-

<sup>1</sup> *Nouveaux Principes d'Economie Politique*, lib. iii. ch. 3.

<sup>2</sup> *Inquiry into the Condition of the Labouring Classes in Holland and Belgium*.

tained unexhausted in a state of constant activity. . . . The labour of the field, the management of the cattle, the preparation of manure, the regulating the rotation of crops, and the necessity of carrying a certain portion of the produce to market, call for the constant exercise of industry, skill, and foresight among the Belgian peasant farmers; and to these qualities they add a rigid economy, habitual sobriety, and a contented spirit, which finds its chief gratification beneath the domestic roof, from which the father of the family rarely wanders in search of excitement abroad."

Reichensperger, speaking of Belgium, says,<sup>1</sup>—"The small estates of this country carry away the palm for beautiful cultivation. . . . In the districts of Fermonde and St. Nicholas, where the soil is rich, light, and moist, the land is divided into very small estates of a few acres in size. The cultivation of these little properties,—which is greatly assisted by the neighbourhood of the towns and by the abundance of manure,—exhibits wonders of labour and industry, and nourishes a large and flourishing population by two, and even three, harvests a year. The beautiful cultivation of these little estates offers to every unprejudiced mind the clearest proof, that their greater *gross* product is not by any means totally consumed by the producers themselves, but that it yields a rich supply of products to the markets, while it nourishes the great population of the numerous towns of that country in the most excellent manner with all the necessities of life."

In speaking of the Palatinate, Mr. Howitt, whose habit it is, as Mr. Mill says,<sup>2</sup> "to see all English objects and English socialities *en beau*, and who, in treating of the Rhenish peasantry, certainly does not underrate the rudeness of their implements and the inferiority of their ploughing, nevertheless shows, that, under the invigorating influence of the feelings of proprietorship, they make up for the imperfections of their apparatus by the intensity of their application." He says,<sup>3</sup> "The peasant harrows and clears his land till it is in the nicest order, and it is admirable to see the crops which he obtains." The peasants are the great and ever-present object of country life. *They are the great population of the country*, because they themselves are the possessors. This country is, in fact, for the most part, in

<sup>1</sup> Die Agrarfrage, p. 126.

<sup>2</sup> Principles of Political Economy, vol. i.

<sup>3</sup> Rural and Domestic Life in Germany, p. 27; Mill's Political Economy, vol. i.

the hands of the people. It is parcelled out among the multitude. . . . The peasants are not, as with us, for the most part, totally cut off from property in the soil they cultivate, and totally dependent on the labour afforded by others ; they are themselves the proprietors. It is, perhaps, from this cause that they are probably the most industrious peasantry in the world. They labour busily, early and late, because they feel that they are labouring for themselves. . . . The German peasants work hard, but they have no actual want. Every man has his house, his orchard, his roadside trees, commonly so heavy with fruit that he is obliged to prop and secure them all ways, or they would be torn to pieces. He has his corn-plot, his plot for mangel-wurzel, for hemp, and so on. He is his own master, and he and every member of his family have the strongest motives to labour. You see the effect of this in that unremitting diligence, which is beyond that of the whole world besides ; and his economy, which is still greater. The Germans, indeed, are not so active and lively as the English ; you never see them in a bustle, or as though they meant to knock off a vast deal in a little time. . . . They are, on the contrary, slow, but for ever doing. They plod on from day to day, and from year to year, the most patient, untirable, and persevering of animals. The English peasant is so cut off from the idea of property that he comes habitually to look upon it as a thing from which he is warned by the laws of the great proprietors, and becomes in consequence spiritless, purposeless. . . . The German bauer, on the contrary, looks on the country as made for him and his fellowmen. He feels himself a man ; he has a stake in the country as good as that of the bulk of his neighbours : no man can threaten him with ejection or the workhouse so long as he is active and economical. He walks, therefore, with a bold step ; he looks you in the face with the air of a free man, but of a respectful one."

This latter observation is singularly correct. The manners of the peasants in Germany and Switzerland form, as I have already said, a very singular contrast to the manners of our peasants. They are polite but independent. The manner of salutation encourages this feeling. If a German gentleman addresses a peasant, he raises his hat before the poor man, as we do before ladies. The peasant replies by a polite "Pray be covered, sir," and then, in good German, answers the questions put to him. Among all the men below the age of thirty-five, the



good education given to them in the schools and in the army has tended to diminish, and, in some parts, altogether to get rid of, provincial dialects ; so that, in almost every case, a traveller who knows German, can easily understand a German or Swiss peasant ; and he will constantly hear them speak in the purest accent of the metropolis. This adds greatly to the pleasure of travelling about among the German and Swiss villages, as a tourist can almost always make companions of the peasants. The poorer classes of these countries so strongly feel that their situation in life depends on their own conduct, and that the richer men are only richer because they, or their immediate ancestors, have acted in life more prudently, that the mere fact of a man's having a better coat on his back and more polished manners than themselves, neither creates in their minds jealousy, nor renders the intercourse with such a person embarrassing to them. The fact of their being proprietors, or of their being able to make themselves proprietors, begets a certain gentlemanly and independent bearing in a Swiss and German peasant, which one seldom sees in any part of our own country.

Mr. Howitt continues to describe the German peasants and their industry as follows :—

“He has no ambition to be other than he is ; he wears the costume which his fathers wore,—the long coat and cocked or hollow-sided hat, the bauer's costume,—and he turns everything about him to account. . . . Nothing that can be possibly made use of is lost. The children may be seen standing in the stream in the villages carefully washing weeds before they are given to the cattle. As we meet them and the women, with large bundles of grass on their heads tied in large cloths, one cannot but call to mind the immense quantities by our highway sides and great green lanes in England, and by wood sides, which grow and wither, but which might support many a poor man's cow. But with the German peasant it is not merely grass, it is everything, which is collected and appropriated. The cuttings of his vines are dried and trussed for winter fodder ; the very tops and refuse of his hemp are saved for the bedding of his cattle ; nay, the rough stalks of his poppies, after the heads are gathered, serve the same purpose, and are all converted into manure. When these are not sufficient, the children gather moss in the woods ; and, in summer, you constantly meet them coming down out of the hills with their great bundles of it. In autumn they gather the very fungi out of the woods to sell for poisoning

flies, and the stalks of a tall species of grass to sell for cleaning out their long pipes. Nothing is lost ; the leaves in the woods are raked up as they fall, and are brought home before winter for bedding cattle. The fir cones, which with us lie all scattered in the forest, are carefully collected to light their fires, or are carried in sacks and sold in the cities for that purpose. The slop from their yards and stables is all preserved, and carried to the fields in water-carts to irrigate their crops. The economy and care of the German peasant afford a striking lesson to all Europe. Time is as carefully economised as everything else. The peasants are early risers, and thus obtain hours of the day's beauty and freshness which others lose."

In Germany and Switzerland the peasants rise a little before five. They then take a cup of coffee and go out. The Romanist churches and cathedrals are all open, and services are performed at five. Most of the Romanist peasants go in to prayers before going to their labour. It is a curious sight to see the women deposit their milk-pails, and the men their farming-tools, at the doors of the Romanist churches, go in to prayers, remain there about a quarter of an hour, and then, taking up their pails and tools, start for the fields and cattle. The priests of the canton of Friburg, in Switzerland, told me that they were all obliged by turn to rise between four and five in summer, in order to perform the early matins at five for the peasants. At about eight the peasants return home for breakfast. Before going out, they do not take more than a little coffee and a piece of bread.

Mr. Howitt, in another part of his work on Germany, with reference to the same subject, says,<sup>1</sup> "There is not an hour of the year in which they do not find unceasing occupation. In the depth of winter, when the weather permits them by any means to get out of doors, they are always finding something to do. They carry out their manure to their lands, while the frost is in them. If there is not frost, they are busy cleaning ditches, and felling old fruit-trees, or such as do not bear well. Such of them as are too poor to lay in a sufficient stock of wood, find plenty of work in ascending into the mountainous woods, and bringing thence fuel. It would astonish the English common people to see the intense labour with which the Germans earn their firewood. In the depth of frost and snow, go into any of their hills and woods, and there you find them

<sup>1</sup> Rural and Domestic Life in Germany, p. 44.

hacking up stumps, cutting off branches, and gathering, by all means which the official wood police will allow, boughs, stakes, and pieces of wood, which they convey home with the most incredible toil and patience." After a description of their careful and laborious vineyard culture, he continues :<sup>1</sup>—"In England, with its great quantity of grass lands, and its large farms, so soon as the grain is in, and the fields are shut up for hay grass, the country seems in a comparative state of rest and quiet. But here, they are everywhere and for ever hoeing and mowing, planting and cutting, weeding and gathering. They have a succession of crops, like a market-gardener. They have their carrots, poppies, hemp, flax, saintfoin, lucerne, rape, colewort, cabbage, rotabaga, black turnips, swedish and white turnips, teazles, Jerusalem artichokes, mangel-wurzel, parsnips, kidney-beans, field beans and peas, vetches, Indian corn, buckwheat madder for the manufacturer, potatoes, their great crop of tobacco, millet—all or the greater part under the family management, in their own family allotments. They have had these things first to sow, many of them to transplant, to hoe, to weed, to clear of insects, to top ; many of them to mow and gather in successive crops. They have their water-meadows—of which kind almost all their meadows are—to flood, to mow, and reflood ; watercourses to re-open and to make anew ; their early fruits to gather, to bring to market, with their green crops of vegetables ; their cattle, sheep, calves, fowls (most of them prisoners), and poultry to look after ; their vines, as they shoot rampantly in the summer heat, to prune, and thin out the leaves when they are too thick ; and any one may imagine what a scene of incessant labour it is."

Mr. Mill,<sup>2</sup> in commenting on these remarks of Mr. Howitt's, says :—"This interesting sketch, to the general truth of which any observant traveller in that highly-cultivated and populous region can bear witness, accords with the more elaborate delineation by a distinguished inhabitant, Professor Rau, in his little treatise on 'The Agriculture of the Palatinate.'"<sup>3</sup>

I have already shown<sup>4</sup> what decisive testimony this able writer bears to the industry, skill, and intelligence of the peasant proprietors of these provinces ; as well as to their scientific pre-

<sup>1</sup> Rural and Domestic Life in Germany, p. 50.

<sup>2</sup> Principles of Political Economy, vol. i. p. 15.

<sup>3</sup> Über die Landwirtschaft der Rheinpfalz und insbesondere in der Heidelberger Gegend. Von D. Karl Heinrich Rau, Heidelberg, 1830.

<sup>4</sup> Supra, pp. 122, 123.

paration and economy of manure ; their excellent rotation of crops ; the progressive improvement of their agriculture for generations past, and the spirit of further improvement which is still active ; the indefatigableness of the country-people ; their careful study of the seasons ; their excellent distribution of their labours ; and their zeal in turning to use every circumstance which presents itself, in seizing upon every useful novelty which offers, and even in searching out new and advantageous methods.

The writers on the state and progress of the Swiss cantons bear similar testimony to the happy results of releasing the land in those cantons from the old feudal laws of tenure, settlement, and devises, and of enabling the peasants to acquire land.

Herr Strohmeier, in describing the progress which agriculture has made in the canton of Solothurn, since the peasants were freed from the feudal burdens, and became the proprietors of the land, says,<sup>1</sup>—"In the time of the old aristocracy, the peasant behind the plough was prized scarcely any higher than the cattle before the same. He was cramped and injured in his rights. He was weighed down by taxes, tithes, and payments. The fruit of his industry was consumed by idle priests and landlords, who kept him in dark ignorance and in wretched superstition. What was there in those times to urge the peasant or the farmer to industry and activity, or to a better cultivation of the land ?"

Herr Strohmeier then says, that since the peasants have been enabled to purchase their lands, and make themselves proprietors, and since the intellect of the people has been raised and enlightened by means of the schools and the teachers, the system of agriculture, the agricultural implements, the cultivation of the meadows, their irrigation and manuring, the cultivation of the gardens, and the industry of the people, have, with few exceptions, greatly improved. He says, that the example of the Bernese has stimulated the people of Soleure very greatly, and that the cultivation of the greatest part of the canton has attained a very high degree of perfection.

Several of the writers on the different cantons of Switzerland, are of opinion that the subdivision in some parts is extreme, and that it is in such cases injurious to scientific and economical farming, when compared to the farming of the *freehold* estates of from 20 to 50 acres ; but they all agree that, even

<sup>1</sup> *Gemälde der Schweiz*, vol. x. p. 81.

in the cases of the smaller farms, the industry and unwearied perseverance of the owners is quite wonderful, and none of these writers ever think of comparing the cultivation of leasehold estates to that of estates cultivated by the owners themselves.

Thus Professor Vulliemin, in describing the progress of agriculture in the canton of Vaud, after saying that the subdivision is excessive, and that a landowner who possesses fifteen acres is considered to be well off (*wohlhabend*), writes thus:<sup>1</sup>—"From this great subdivision of the land spring both good and evil. The land, which is cultivated by occupiers who are themselves the owners of the soil, is farmed with extraordinary (*unge-wohnlichen*) care and industry, although often with more unscientific hands, and at greater cost than that of the larger proprietor farmers."

Professor Vulliemin says, however, that this great subdivision is lessening, and that the smallest of the estates are being united again. As the peasants get better educated, they learn to calculate better what quantity of land will best repay one man's or one family's labours; and they acquire a desire to take a higher and more comfortable position in society than that of the smallest proprietors. They are not content to settle down upon the smallest farms. They defer their marriages until they can purchase larger farms, and more respectable positions among their neighbours. The more education advances, the more will the excessive subdivision diminish.

But even where the subdivision is too great for the most economical farming, still even there all the authorities concur in asserting that the condition of the peasantry is most prosperous, that it has been steadily and continuously improving, and that the industry of the small farmers is quite wonderful.

Herr von Knonau, in speaking of the agriculture of the canton of Zurich, says:<sup>2</sup>—"With few exceptions the land is very much subdivided, one may almost say, split up. There are very few estates of 100 acres, and scarcely five of more than 200 acres in size. . . . The canton of Zurich shows what industry is able to win from the ground. The Zurich peasant has cultivated his little plot of ground with such intense industry that his field agriculture, in many parts of the canton, and especially on the borders of the lake, resembles the cultivation of a garden. There, too, you may find the most valuable deposits

<sup>1</sup> *Gemälde der Schweiz*, vol. xix. p. 305.

<sup>2</sup> *Ibid.*, vol. i. p. 243.

of manure, beautiful meadows, the finest orchards, and the most productive vineyard cultivation." Herr von Knonau says, in another part of the same report, that since the government has sold to the peasants lands which formerly belonged to the state, and has in this manner created a great number of new small peasants' properties, *very often a third or a fourth of the land which formerly belonged to the state, and was let out to farmers, produces at present as much corn, and supports as many head of cattle, as the whole estate formerly did when it was cultivated by leasehold tenants.*<sup>1</sup>

To the same effect is the testimony of Herr Pupikofer, member of the Council of Education of the canton of Thurgovie, in his account of this canton. He says,<sup>2</sup> "The division of the great tracts of land belonging to the government, and the creation of small peasant-properties out of them have had this effect, that often *a third or a fourth of the original estate produces now as much corn, and supports as many cattle, as the whole of the original estate did when it was cultivated by lessees.*" Herr Pupikofer, however, agrees with several of the Swiss writers in thinking, that, although the division of the land among the peasants improves the productiveness of the land and the moral character of the peasants, it is injurious to the former when subdivided in portions of *less* than an acre in size; and he suggests that a minimum ought to be defined by law, and that no plots of land should be allowed to be sold which are in size below this minimum.

Herr von Knonau gives also a long and very interesting account of the exceeding great care bestowed by the peasant-farmers of the canton of Zurich in managing their cattle, and in collecting and preparing the manure for their lands.<sup>3</sup> I shall give the substance of this account, as it is another proof of the industry, intelligence, and scientific economy and management, which always distinguish peasant proprietors. Let my readers compare the following facts, with the waste which they must have observed in most of our English farms:—

The length of the shippen depends upon the number of cattle kept by the farmer. It is divided into stalls. Along the bottom of these stalls a space of about four or five feet is left open as a passage. Between the stalls and the passage an open stone-gutter is made, to carry off the drainings of the stalls. These

<sup>1</sup> Gemälde der Schweiz, vol. i. p. 245.

<sup>2</sup> Ibid., vol. xvii. p. 73.

<sup>3</sup> Ibid., vol. i. p. 249.

latter slope very gently down to the gutter. The floor of the upper part of the stall is generally boarded, and upon the boards is spread some gravel or sand, in order that the cattle may find a good hold for their fore feet, and may be able to raise themselves easily from the ground.

The oxen and horses are fastened in the stalls nearest, and the cows in those furthest from the door, as these latter are not so often taken out of the shippens as the former.

A fresh bed is laid down under each cow, at least twice a day, generally in the mornings and in the evenings, before milking. Whoever has sufficient straw, changes the bedding three or four times a day. Every morning, at an early hour, each stall is cleaned out, and all the dung and old bedding are turned out into the well prepared for them in the farmyard. Into this well, the gutter, which runs down the shippen at the bottom of the stalls, is made to empty itself, so that the liquid manure may run into the dung and old bedding, and mix with them. The contents of the well are taken out several times a week, and are thrown upon the dung-heap. The liquid manure, which remains in the well, is then mixed with water, and is carried out upon the fields and spread over them by means of hand watering-carts. All the manure from the house is also preserved and mixed with the rest upon the dung-heap. In the towns, also, the manure is carefully preserved, and is sold out to those farmers who cannot obtain a sufficient quantity from their own farmyards.

In different parts of the canton, the manure obtained from the farmyards, in the manner I have above narrated, is mixed with various ingredients, in order to make it suitable for the peculiar character of the land for which it is intended.

In Switzerland, the size of the estates varies generally from one acre to one hundred and fifty. Some few estates of greater size are to be found, but they are very rare.

Most of the married peasants, and most of the inhabitants of the smaller towns, possess as their own property either a farm or at least a garden.

Herr von Knonau, the keeper of the archives of the canton of Zurich,<sup>1</sup> says, that formerly many of the houses were thatched ; but that of late years the custom of thatching houses has been given up, partly because the science of agriculture has been so much improved, that the people are not willing to expend upon

<sup>1</sup> *Gemälde der Schweiz*, vol. i. p. 235.

the covering of the houses straw and other materials which are useful in making good manures.

These pictures of unwearied assiduity, and what may be called affectionate interest in the land, are borne out in regard to the more intelligent cantons of Switzerland, by English observers. "In walking anywhere in the neighbourhood of Zurich," says Mr. Inglis,<sup>1</sup> "in looking to the right or to the left, one is struck with the extraordinary industry of the inhabitants ; and if we learn that a proprietor here has a return of ten per cent., we are inclined to say, 'he deserves it.' I speak at present of country labour ; though I believe that in every kind of trade, also, the people of Zurich are remarkable for their assiduity ; but in the industry they show in the cultivation of their land, I may safely say they are unrivalled. When I used to open my casement between four and five in the morning, to look out upon the lake and the distant Alps, I saw the labourer in the fields ; and when I returned from an evening walk, long after sunset, as late perhaps as half-past eight, there was the labourer mowing his grass, or tying up his vines. . . . It is impossible to look at a field, a garden, a hedging, scarcely even a tree, a flower, or a vegetable, without perceiving proofs of the extreme care and industry that are bestowed upon the cultivation of the soil. If, for example, a path runs through, or by the side of a field of grain, the corn is not, as in England, permitted to hang over the path, exposed to be pulled or trodden down by every passer ; it is everywhere bounded by a fence ; stakes are placed at intervals of about a yard, and about two or three feet from the ground, boughs of trees are passed longitudinally along. If you look into a field towards evening, where there are large beds of cauliflower or cabbage, you will find that every single plant has been watered. In the gardens, which around Zurich are extremely large, the most punctilious care is evinced in every production that grows. The vegetables are planted with seemingly mathematical accuracy ; not a *single weed is to be seen, not a single stone*. Plants are not earthed up as with us ; but are planted each in a small hollow, into which a little manure is put, and each plant is watered daily. Where seeds are sown, the earth directly above is broken into the finest powder ; every shrub, every flower, is tied to a stake ; and where there is wall-fruit, a trellis is erected against a wall, to which the boughs are fastened ; and there is not a single thing that has not its appropriate resting-place."

<sup>1</sup> Quoted by Mr. Mill in his *Political Economy*, vol. i. p. 304.



Of one of the remote valleys of the High Alps, the same writer thus expresses himself :—" In the whole of the Engadine, the land belongs to the peasantry, who, like the inhabitants of every other place where this state of things exists, vary greatly in the extent of their possessions. . . . Generally speaking, an Engadine peasant lives entirely upon the produce of his land, with the exception of the few articles of foreign growth required in his family, such as coffee, sugar, and wine. Flax is grown, prepared, spun, and woven, without ever leaving his house. He has his own wool which is converted into a blue coat, without passing through the hands of either the dyer or the tailor. The country is incapable of greater cultivation than it has received. All has been done for it that industry and an extreme love of gain can devise. There is not a foot of waste land in the Engadine, the lowest part of which is not much lower than the top of Snowdon. Wherever grass will grow, there it is ; wherever a rock will bear a blade, verdure is seen upon it ; wherever an ear of rye will ripen, there it is to be found. Barley and oats have also their appropriate spots : and wherever it is possible to ripen a little patch of wheat, the cultivation of it is attempted. In no country in Europe will be found so few poor as in the Engadine. In the village of Suss, which contains about six hundred inhabitants, there is not a single individual who has not wherewithal to live comfortably ; not a single individual who is indebted to others for one morsel that he eats."

One of the countries, in which peasant proprietors are of oldest date and most numerous in proportion to the population, is Norway. Of the social and economical condition of that country a very interesting account has been given by Mr. Laing. He describes the effects of the subdivision of land in that country as being most satisfactory in every respect. I shall quote a few passages :<sup>1</sup>—

" If small proprietors are not good farmers, it is not from the same cause here, which we are told makes them so in Scotland—indolence and want of exertion. The extent to which irrigation is carried on in these glens and valleys, shows a spirit of *exertion and co-operation*, to which the latter can show nothing similar. Hay being the principal winter support of live stock, and both it and corn, as well as potatoes, being liable, from the shallow soil and powerful reflection of sunshine from the rocks, to be burnt and withered up, the greatest exertions are made to bring

<sup>1</sup> Quoted in Mil.'s Political Economy, vol. i.

water from the head of each glen, along such a level, as will give the command of it to each farmer at the head of his fields. This is done by leading it in wooden troughs (the half of a tree roughly scooped) from the highest perennial stream among the hills, through woods, across ravines, and along the rocky, often perpendicular, sides of the glens; and by giving from this main trough a lateral one to each farmer in passing the head of his farm. He distributes this supply by movable troughs among his fields; and at this season waters each rig successively with scoops, like those used by bleachers in watering cloth, laying his trough between every two rigs. One would not believe, without seeing it, how very large an extent of land is traversed expeditiously by these artificial showers. The extent of the main troughs is very great. In one glen I walked ten miles, and found it troughed on both sides; on one, the chain is continued down the main valley for forty miles. Those may be bad farmers who do such things; but they are not indolent, nor ignorant of the principle of working in concert, and keeping up establishments for common benefit. They are, undoubtedly, in these respects, far in advance of any community of cotters in our Highland glens. They feel as proprietors who receive the advantage of their own exertions. The excellent state of the roads and bridges is another proof that the country is inhabited by people who have a common interest to keep it under repair. There are no tolls."

On the admirable effects of peasant proprietorship in other parts of Europe, the same writer expresses himself as follows: <sup>1</sup>—

"If we listen to the large farmer, the scientific agriculturist, the (English) political economist, good farming must perish with large farms; the very idea that good farming can exist, unless on large farms cultivated with great capital, they hold to be absurd. Draining, manuring, economical arrangement, cleaning the land, regular rotations, valuable stock and implements, all belong exclusively to large farms, worked by large capital and by hired labour. This reads very well; but if we raise our eyes from their books to their fields, and coolly compare what we see in the best districts farmed in large farms, and what we see in the best districts farmed in small farms, we see, and there is no blinking the fact, better crops on the ground in Flanders, East Friesland, Holstein, in short, on the whole line of the arable land of equal quality of the Continent, from the Sound to Calais, than we see on the line of British coast,

<sup>1</sup> Quoted in Mill's Political Economy, vol. i.

opposite to this line and in the same latitudes, from the Firth of Forth all round to Dover. Minute labour on small portions of arable ground gives evidently, in equal soils and climate, a *superior* productiveness, where these small portions *belong in property*, as in Flanders, Holland, Friesland, and Ditmarsh in Holstein, to the farmer. It is not pretended, by our agricultural writers, that our large farmers, even in Berwickshire, Roxburghshire, or the Lothians, approach to the garden-like cultivation, attention to manures, drainage, and clean state of the land, or in productiveness from a small space of soil, not originally rich, which distinguish the small farmers of Flanders or their system. In the best-farmed parish in Scotland or England, more land is wasted in the corners and borders of the fields of large farms; in the roads through them, unnecessarily wide because they are bad, and bad because they are wide; in neglected commons, waste spots, useless belts and clumps of sorry trees, and such unproductive areas; than would maintain the poor of the parish, if they were all laid together and cultivated. But large capital applied to farming is, of course, only applied to the very best of the soils of a country. It cannot touch the small unproductive spots, which require more time and labour to fertilise them, than is consistent with a quick return of capital. But, although hired time and labour cannot be applied beneficially to such cultivation, the owner's own time and labour may. He is working for no higher returns, at first, from his land than a bare living. But, in the course of generations, fertility and value are produced; a better living, and even very improved processes of husbandry, are attained. Furrow draining, stall feeding all summer, liquid manures, are universal in the husbandry of the small farms of Flanders, Lombardy, and Switzerland. Our most improving districts, under large farms, are but beginning to adopt them. Dairy husbandry even, and the manufacture of the largest cheeses, by the co-operation of many small farmers—the mutual assurance of property against fire and hailstorms, by the co-operation of small farmers—the most scientific and expensive of all agricultural operations in modern times, the manufacture of beetroot sugar—the supply of the European markets with flax and hemp, by the husbandry of small farmers—the abundance of legumes, fruits, poultry, in the usual diet even of the lowest classes abroad, and the total want of such variety at the tables even of our middle classes, and this variety and abundance essentially connected with the

husbandry of small farmers—all these are features in the occupation of a country by small proprietor farmers, which must make the inquirer pause before he admits the dogma of our land doctors at home, that large farms worked by hired labour and great capital can alone bring out the greatest productiveness of the soil, and furnish the greatest supply of the necessities and conveniences of life to the inhabitants of a country."

The scientific and economical manner in which the Swiss peasant proprietors combine to carry on cheese-making by their united capital, deserves to be noted.<sup>1</sup> "Each parish in Switzerland hires a man, generally from the district of Gruyère, in the Canton of Friburg, to take care of the herd and make the cheese. One cheeseman, one pressman or assistant, and one cowherd, are considered necessary for every forty cows. The owners of the cows get credit, each of them, in a book daily, for the quantity of milk given by each cow. The cheeseman and his assistants milk the cows, put the milk all together, and make cheese of it, and at the end of the season each owner receives the weight of cheese, proportionate to the quantity of milk his cows have delivered. By this co-operative plan, instead of the small-sized unmarketable cheeses only, which each could produce out of his three or four cows' milk, he has the same weight in large marketable cheese, superior in quality, because made by people who attend to no other business. The cheeseman and his assistants are paid so much per head of the cows, in money or in cheese; or sometimes they hire the cows, and pay the owners in money or cheese." A similar system exists in the French Jura. One of the most remarkable points in this interesting case of combination of labour, is the confidence, which it supposes, and which experience must justify, in the integrity of the persons employed.

The admirable and scientific character of the system of farming pursued by the small farmers and peasant-proprietors of Holland, is attested by the writer of a carefully-prepared, systematic treatise on Flemish husbandry, in the Farmer's Series of the Society for the Diffusion of Useful Knowledge. He observes, that the Flemish agriculturist<sup>2</sup> "seems to want nothing but a space to work upon. Whatever be the quality or texture of the soil, in time he will make it produce something.

<sup>1</sup> Notes of a Traveller, p. 351; Mill's Principles of Political Economy, vol. i.

<sup>2</sup> Geographical Dictionary, art. "Belgium," pp. 4. 11; Mill's Principles of Political Economy, vol. i. p. 316.

The sands in the Campine can be compared to nothing but the sand on the seashore, which they probably were originally. It is highly interesting to follow, step by step, the progress of improvement. Here you see a cottage and rude cowshed erected on a spot of the most unpromising aspect. The loose white sand blown into irregular mounds, is only kept together by the roots of the heath ; a small spot only is levelled and surrounded by a ditch ; part of this is covered with young broom, part is planted with potatoes, and perhaps a small patch of diminutive clover may show itself ; but manures, both solid and liquid, are collecting, and this is the nucleus from which, in a few years, a little farm will spread around. . . . If there is no manure at hand, the only thing that can be sown on pure sand, at first, is broom : this grows in the most barren soils ; in three years it is fit to cut, and produces some return in faggots for the bakers and brickmakers. The leaves which have fallen have somewhat enriched the soil, and the fibres of the roots have given a certain degree of compactness. It may now be sown with buckwheat, or even with rye, without manure. By the time this is reaped, some manure may have been collected, and a regular course of cropping may begin. As soon as clover and potatoes enable the farmer to keep cows and make manure, the improvement goes on rapidly ; in a few years the soil undergoes a complete change ; it becomes mellow and retentive of moisture, and enriched by the vegetable matter afforded by the decomposition of the roots of clover and other plants. . . . After the land has been gradually brought into a good state, and is cultivated in a regular manner, there appears much less difference between the soils which have been originally good, and those which have been made so by labour and industry—at least, the crops in both appear more nearly alike at harvest than is the case in soils of different qualities in other countries. This is a great proof of the excellency of the Flemish system ; for it shows that the land is in a constant state of improvement, and that the deficiency of the soil is compensated by greater attention to tillage and manuring, especially the latter.”

Mr. Mill, in reasoning on the preceding account of Flemish husbandry, says :<sup>1</sup>—“ The people, who labour thus intensely, *because labouring for themselves*, have practised for centuries those principles of rotation of crops and economy of manures,

<sup>1</sup> See Principles of Political Economy, vol. i.

which in England are counted among modern discoveries ; and even now, the superiority of their agriculture, as a whole, to that of England, is admitted by competent judges. ‘The cultivation of a poor light soil, or a moderate soil,’ says the writer last quoted,<sup>1</sup> ‘is generally superior in Flanders to that of the most improved farms of the same kind in Britain. We surpass the Flemish farmer greatly in capital, in varied implements of tillage, in the choice and breeding of cattle and sheep’ (though, according to the same authority,<sup>2</sup> they are much ‘before us in the feeding of their cows’), ‘and the British farmer is in general a man of superior education to the Flemish peasant. But in the minute attention to the qualities of the soil, in the management and application of manures of different kinds, in the judicious succession of crops, and especially in the economy of land, so that every part of it shall be in a constant state of production, we have still something to learn from the Flemings,’ and not from an instructed and enterprising Fleming here and there, but from the general practice.

“Much of the most highly cultivated part of the country consists of peasant properties, managed by the proprietors, always either wholly or partly by spade husbandry.<sup>3</sup> ‘When the land is cultivated entirely by the spade and no horses are kept, a cow is kept for every three acres of land, and entirely fed on artificial grasses or roots. This mode of cultivation is principally adopted in the Waes district, where properties are very small. All the labour is done by the different members of the family ;’ children soon beginning ‘to assist in various minute operations, according to their age and strength, such as weeding, hoeing, feeding the cows. If they can raise rye and wheat enough to make their bread, and potatoes, turnips, carrots, and clover for the cows, they do well ; and the produce of the sale of their rape-seed, their flax, their hemp, and their butter, after deducting the expense of manure purchased, which is always considerable, gives them a very good profit. Supposing the whole extent of the land to be six acres, which is not an uncommon occupation, and which one man can manage,’ then (after describing the cultivation) ‘if a man with his wife and three young children are considered as equal to three and a half grown up men, the family will require thirty-nine bushels of grain, forty-nine bushels of potatoes, a fat hog, and the butter and milk of one cow. An acre and a half of land will

<sup>1</sup> *Flemish Husbandry*, p. 3.

<sup>2</sup> *Ibid.*, p. 13.

<sup>3</sup> *Ibid.*, pp. 73, *et seq.*

produce the grain and potatoes, and allow some corn to finish the fattening of the hog, which has the extra buttermilk; another acre in clover, carrots, and potatoes, together with the stubble turnips, will more than feed the cow; consequently two acres and a half of land are sufficient to feed this family, and the produce of the other three and a half may be sold to pay the rent or the interest of purchase-money, wear and tear of implements, extra manure, and clothes for the family. But these acres are the most profitable in the farm, for the hemp, flax, and colza are included; and by having another acre in clover and roots, a second cow can be kept, and its produce sold. We have, therefore, a solution of the problem, 'How a family can live and thrive on six acres of moderate land.' After showing by calculation that this extent of land can be cultivated in the most perfect manner by the family, without any aid from hired labour, the writer continues, 'In a farm of *ten* acres, entirely cultivated by the spade, the addition of a man and a woman to the members of the family will render all the operations more easy; and, with a horse and cart to carry out the manure, and bring home the produce, and occasionally draw the harrows, *fifteen* acres may be very well cultivated. . . . Thus it will be seen' (this is the result of some pages of details and calculations<sup>1</sup>) 'that by spade husbandry, an industrious man with a small capital, occupying only 15 acres of good light land, may not only live and bring up a family, *paying a good rent*, but may accumulate a considerable sum in the course of his life.' But the indefatigable industry by which he accomplishes this, and of which so large a portion is expended, not in the mere cultivation, but in the improvement, for a distant return, of the soil itself—has that industry no connection with *not* paying the rent? Could it exist without presupposing, at least, a virtually permanent tenure?

"As to their mode of living, 'the Flemish farmers and labourers live much more economically than the same class in England; they seldom eat meat, except on Sundays and in harvest; buttermilk and potatoes, with brown bread, is their daily food.' It is on this kind of evidence that English travellers, as they hurry through Europe, pronounce the peasantry of every Continental country poor and miserable; its agricultural and social system a failure; and the English the only *régime* under which labourers are well off. It is, truly enough, the only *régime*

<sup>1</sup> Flemish Husbandry, p. 81.

under which labourers, whether well off or not, *never attempt to be better*. So little are English observers accustomed to consider it possible that a labourer should not spend all he earns, that they habitually mistake the signs of *economy* for those of *poverty*. Observe the true interpretation of the phenomena.

“Accordingly, *they are gradually acquiring capital*, and their great ambition is to have land of their own. They eagerly seize every opportunity of purchasing a small farm, and the price is so raised by the competition, that land pays little more than two per cent. interest for the purchase-money. Large properties gradually disappear, and are divided into small portions, which sell at a high rate. But the wealth and industry of the population is continually increasing, being rather diffused through the masses, than accumulated in individuals.’

“With facts like these known and accessible,<sup>1</sup> it is not a little surprising to find the case of Flanders referred to, not in recommendation of peasant properties, but as a warning against them, on no better ground than a presumptive excess of population, inferred from the distress which existed among the peasantry of Brabant and East Flanders, in the disastrous years 1846, 1847. The evidence, which I have cited from a writer conversant with the subject, and having no economical theory to support, shows that the distress, whatever may have been its severity, arose from no insufficiency in these little properties to supply abundantly, in any ordinary circumstances, the wants of all whom they have to maintain. It arose from the essential condition, to which those are subject who employ land of their own in growing their own food, namely, that the vicissitudes of the seasons must be borne by themselves, and cannot, as in the case of large farmers, be shifted from them to the consumer. When we remember the season of 1846, a partial failure of all kinds of grain, and an almost total one of the potatoes, it is no wonder that in so unusual a calamity, the produce of six acres, half of them sown with flax, hemp, or oil seeds, should fall short of a year’s provision for a family. But we are not to contrast the distressed Flemish peasant with an English capitalist who farms several hundred acres of land. If the peasant were an Englishman, he would not be a capitalist, but a day-labourer under a capitalist; and is there no distress in times of dearth among day-labourers? Was there none that year, in countries where small proprietors and small farmers are unknown? Is there

<sup>1</sup> Mr. Mill’s *Principles of Political Economy*, vol. i. p. 321.



any reason whatever to believe that the distress was greater in Belgium, than corresponds to the proportional extent of the failure of crops compared with other countries?

“It is from France, however, that impressions unfavourable to peasant properties are generally drawn; it is in France that the system is so often asserted to have brought forth its fruit, in the most wretched possible agriculture, and to be rapidly reducing, if not to have already reduced, the peasantry, by subdivision of land, to the verge of starvation. *It is difficult to account for the general prevalence of impressions so much the reverse of the truth.* The agriculture of France was wretched, and the peasantry in great indigence, *before* the Revolution. At that time they were not, generally speaking, landed proprietors. There were, however, considerable districts of France, where the land even then was, to a great extent, the property of the peasantry, and among these, were many of the most conspicuous exceptions to the general bad agriculture and to the general poverty. An authority on this point not to be disputed, is ARTHUR YOUNG, the inveterate enemy of small farms, the *Coryphæus* of the modern English school of agriculturists, who, nevertheless, while travelling over nearly the whole of France in 1787, 1788, and 1789, when he finds remarkable excellence of cultivation, NEVER HESITATES TO ASCRIBE IT TO PEASANT PROPERTY. ‘Leaving Sauve,’ says he,<sup>1</sup> ‘I was much struck with a large tract of land, seemingly nothing but huge rocks; yet most of it enclosed and planted with the most industrious attention. Every man has an olive, a mulberry, an almond, or a peach tree, and vines scattered among them; so that the whole ground is covered with the oddest mixture of these plants and bulging rocks that can be conceived. The inhabitants of this village deserve encouragement for their industry; and if I were a French minister they should have it. They would soon turn all the deserts around them into gardens. Such a knot of active husbandmen, who turn their rocks into scenes of fertility, because I suppose *their own, would do the same by the wastes, if animated by the same omnipotent principle.*’ Again,<sup>2</sup> ‘Walk to Rossendal’ (near Dunkirk), ‘where M. le Brun has an improvement on the dunes, which he very obligingly showed me. Between the town and that place is a great number of neat little houses, built each with its garden, and one or two fields enclosed, of most wretched, blowing, *dune* sand, naturally as

<sup>1</sup> Arthur Young’s Travels in France, vol. i. p. 50.

<sup>2</sup> Ibid., p. 88.

white as snow, but improved by industry. *The magic of property turns sand to gold.* And again,<sup>1</sup> 'Going out of Gange, I was surprised to find by far the greatest exertion in irrigation which I had yet seen in France; and then passed by some steep mountains highly cultivated in terraces. Much watering at St. Lawrence. The scenery very interesting to a farmer. From Gange to the mountain of rough ground, which I crossed, the ride has been the most interesting which I have taken in France; the *efforts of industry the most vigorous; the animation the most lively. An activity has been here that has swept away all difficulties before it, and has clothed the very rocks with verdure.* It would be a disgrace to common sense to ask the cause; *the enjoyment of property must have done it.* Give a man the secure possession of a bleak rock, and he will turn it into a garden; give him a nine years' lease of a garden, and he will convert it into a desert.'

"In his description of the country at the foot of the Western Pyrenees, he says,<sup>2</sup> 'I took the road to Moneng, and came presently to a scene, which was *so new* to me in France, that I could hardly believe my own eyes. A succession of many well-built, tight, and *comfortable* farming cottages, built of stones and covered with tiles; each having its little garden, enclosed by clipt thorn-hedges, with plenty of peach and other fruit trees, some fine oaks scattered in the hedges, and young trees nursed up with so much care, that nothing but the fostering attention of the owner could effect anything like it. To every house belongs a farm perfectly well enclosed, with grass borders mown and neatly kept around the cornfields, with gates to pass from one enclosure to another. There are some parts of England (where small yeomen still remain) that resemble this country of Béarn; but we have very little that is equal to what I have seen in this ride of twelve miles from Pau to Moneng. *It is all in the hands of little proprietors*, without the farms being so small as to occasion a vicious and miserable population. An air of neatness, warmth, and comfort, breathes over the whole. It is visible in their new-built houses and stables; in their little gardens; in their hedges; in the courts before their doors; even in the coops for their poultry, and the sties for their hogs. A peasant does not think of rendering his pig comfortable, if his own happiness hang by a thread of a nine years' lease. We are now in Béarn, within a few miles of the cradle of Henry IV.

<sup>1</sup> Young, vol. i. p. 51.

<sup>2</sup> Ibid., pp 322-324.

Do they inherit these blessings from that good prince? The benignant genius of that good monarch seems to reign still over the country; each peasant has the *fowl in the pot*.<sup>1</sup> He frequently notices the excellence of the agriculture of French Flanders where the farms '*are all small, and much in the hands of little proprietors.*'<sup>1</sup> In the Pays de Caux, also a country of small proprietors, the agriculture was miserable; of which his explanation was, that it '*is a manufacturing country, and farming is but a secondary pursuit to the cotton fabric, which spreads over the whole of it.*'<sup>2</sup> The same district is still a seat of manufactures, and a country of small proprietors; *and is now, whether we judge from the appearance of the crops or from the official returns, one of the best cultivated in France.* In 'Flanders, Alsace, and part of Artois, as well as on the banks of the Garonne, France possesses a husbandry equal to our own.'<sup>3</sup> These countries, and a considerable part of Meecy, *are cultivated more like gardens, from the smallness of properties.*<sup>4</sup> In those districts the admirable rotation of crops, so long practised in Italy, but at that time generally neglected in France, was already universal. 'The rapid succession of crops, the harvest of one being but the signal for sowing immediately for a second' (the same fact which must strike all observers in the valley of the Rhine) 'can scarcely be carried to greater perfection; and this is a point perhaps of all others the most essential to good husbandry, when such crops are so justly distributed as we generally find them in the provinces; cleaning and ameliorating ones being made the preparation for such as foul and exhaust.'

"It must not, however, be supposed that Arthur Young's testimony on the subject of peasant properties is uniformly favourable. In Lorraine, Champagne, and elsewhere, he finds the agriculture bad, and the small proprietors very miserable, in consequence, as he says, of the extreme subdivision of the land. His opinion is thus summed up:<sup>5</sup>—'Before I travelled, I conceived that small farms *in property* were very susceptible of good cultivation, and that the occupier of such, having no rent to pay, might be sufficiently at his ease to work improvements, and carry on a vigorous husbandry; but what I have seen in France has greatly lessened my good opinion of them. In Flanders, I saw excellent husbandry on properties of thirty

<sup>1</sup> Young, vol. i. pp. 322-324.

<sup>2</sup> Ibid., p. 325.

<sup>3</sup> Ibid., p. 357.

<sup>4</sup> Ibid., p. 364.

<sup>5</sup> Ibid., p. 412.

to one hundred acres; but we seldom find here such small patches of property as are common in other provinces. In Alsace and on the Garonne, that is, on soils of such exuberant fertility as to demand no exertions, some small properties also are well cultivated. In Béarn, I passed through a region of little farmers, whose appearance, neatness, ease, and happiness charmed me; it was what *property* alone could, on a small scale, effect; but these were by no means contemptibly small: they are, as I judged from the distance from house to house, from 40 to 80 acres. Except these, and a very few other instances, I saw nothing respectable on small properties, except a most unremitting industry. Indeed, it is necessary to impress on the reader's mind that though the husbandry I met with, in a great variety of instances on little properties, was as bad as can well be conceived, yet the industry of the possessors was so conspicuous and so meritorious that no commendations could be too great for it. It was sufficient to prove that property in land is, of all others, the most active instigator to severe and incessant labour, and this truth is of such force and extent, that I know no way so sure of carrying tillage to a mountain top, as by permitting the adjoining villagers to acquire it in property; in fact, we see, that in the mountains of Languedoc, &c., they have conveyed earth in baskets on their backs, to form a soil where nature had denied it.'

"The experience, therefore," Mr. Mill goes on to say, "of this celebrated agriculturist and apostle of *la grande culture* may be said to be, *that the effect of small properties, cultivated by peasant proprietors, is admirable, when they are not too small; so small, namely, as not to fully occupy the time and attention of the family*: for he often complains, with great apparent reason, of the quantity of idle time which the peasantry had on their hands when the land was in very small portions, notwithstanding the ardour with which they toiled to improve their little patrimony, in every way which their knowledge or ingenuity could suggest. He recommends, accordingly, that a limit of subdivision should be fixed by law; and this is by no means an indefensible proposition in countries, if such there are, where the *morcellement*, having already gone further than the state of capital and the nature of the staple articles of cultivation render advisable, still continues progressive. That each peasant should have a patch of land, even in full property, if it is not sufficient to support him in comfort, is a system with all the disadvantages,

and scarcely any of the benefits, of small properties ; since he must either live in indigence on the produce of his land, or depend as habitually, as if he had no landed possessions, on the wages of hired labour ; which besides, if all the lands surrounding him are held in a similar manner, he has little opportunity of finding. The benefits of peasant properties are conditional upon their not being too much subdivided ; that is, upon their not being required to maintain too many persons in proportion to the produce that can be raised from them by those persons. The question resolves itself, like most questions respecting the condition of the labouring classes, into one of population—Are small properties a stimulus to undue multiplication, or a check to it ?”

It has been already shown, in a previous section of this chapter, and by indisputable statistics, that small properties do form one of the strongest possible checks upon the undue increase of population.

That there is no need to fear that a repeal of the entail and settlement laws would lead to great subdivision of land, will be shown in the last section of this chapter, from the fact, that even in France, *where the law actually attempts to FORCE it*, the subdivision is actually *diminishing*, and the average size of the estates is progressively *increasing*.

From the authorities, facts, and statistics given in this present section, it is then clear, that independently of the vast moral benefits accruing from a system of small estates, the economical advantages arising from it are great and numerous, as it leads to a more economical use of the land ; it prevents any waste of portions of it ; it tends to improve its tillage, weeding, and cleaning ; it provides better systems of farming, better rotations of crops, and more economical and scientific management of manures ; and by these means it vastly increases the total produce of the land, while it stimulates in an extraordinary manner the science, industry, intelligence, virtue, prosperity, and happiness of the farmers and peasant classes of the country.

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6. *The education of the poor, and the division of the land, tend greatly to improve the character of their houses and of their villages.*

Every one with whom I conversed in Germany and Switzerland, concurred in assuring me that a great and visible improve-

ment had taken place in the condition of the houses of the poor since 1816, when the lands were divided, and when the education of the people was commenced.

The children are accustomed for so many years to the clean, well-ventilated, and comfortable school-rooms, and the young men, after leaving the schools, are so long accustomed to the clean and roomy barracks, that by the time they have attained the age of twenty-one, when they return to their homes, they are as unable as our shopkeepers would be to live in such filthy cellars and hovels, as those in which the Irish and many of our own poor vegetate. A good roomy house becomes a positive necessity to them, just as a comfortable parlour is a necessary luxury to an English shopkeeper. Until a peasant of these countries can afford a comfortable house and a plot of land, he defers his marriage, in the majority of instances.

The villages of Germany, Switzerland, and Holland show the truth of these assertions. The houses of the peasantry in those parts of these countries, where the peasants are *proprietors*, are remarkably good. They are always at least two, and often three, storeys high. They are very substantially built. The windows are large, and numerous, and the rooms are lofty and commodious. The villages in those parts of Prussia where the land is divided, look like groups of houses belonging to substantial farmers. Accustomed as my eye had always been to the low-roofed, one-storied, and poorly built cottages of English labourers, I often found it really difficult to believe that the substantial homesteads of these parts of Germany belonged to the peasants.

The peasant proprietors are very fond of frequently white-washing, and are very particular about keeping the streets or roads near their houses clean. This conduces to give the villages a very orderly and neat appearance. The villagers do everything for themselves, and feel interested in improvements, as their houses are their own property, and not that of a landlord.

The injuries occasioned by time's defacing hand are carefully repaired, and neighbours vie with one another in the comfort, neatness, and respectability of their homes.

In the Rhine Provinces the exteriors of the houses are not always quite so prepossessing as in other parts of Germany. They are often built with wooden frame-works, filled up between the beams with a dirty-looking cement, as it is frequently very

difficult to obtain brick or stone. This cement makes a very good wall ; but, if unwhitewashed, looks poor. Travellers should not, however, judge the interiors of these houses from the look of their exteriors ; their interiors are generally roomy, constantly whitewashed, well furnished, and beautifully clean.

In some parts of Prussia however, where the land is not subdivided, and where the peasants are only the day labourers upon the great estates of the rich landowners, as in some parts of the province of Posen, the condition of the peasants' cottages is very wretched. It is said by German writers, that in travelling through Prussia and other parts of Germany, a traveller can always tell whether the peasants are proprietors, by the state of the cottages, as those of the proprietors are always so much superior to those of the mere labourers. I am convinced of the truth of this observation ; the difference between the houses and general social condition of the peasant proprietors and those of the labourers on the great estate, is much too remarkable throughout the whole of western Europe to allow of any doubt as to the cause.

Mr. Banfield, in speaking of the cottages and farm-buildings of the peasants of the Prussian Rhine Provinces, says,<sup>1</sup>—"The size of the offices is a remarkable feature in all German farm-houses, from the cot of the peasant to the largest castle."

And again, in another part of the same work, he says,<sup>2</sup>—"The houses themselves offer a contrast to the diminutive holdings of which they are the representatives. As we have already observed, they are out of all proportion large. . . . In the villages the houses are usually built of wooden frames, whose beams and standards are mortised into each other, and bound and supported by sloping stays, the mortises being fastened by pegs throughout ; where that timber abounds, the wood most in use is oak ; near the Rhine, fir and pine wood are used. The wood is usually seven inches square, which conveniently holds a layer of bricks laid breadthwise in each compartment. The bricks are not always burnt, and the compartments are sometimes filled up with strong wickerwork, which is plastered over. When the house is coated with lime or clay and whitewashed, the wooden frame is left conspicuous all over, and is often painted in fanciful colours.

"The value of the building is indicated by the thickness of the timber shown to be employed in this framework. Formerly,

<sup>1</sup> *Agriculture of the Rhine*, p. 12.

<sup>2</sup> *Ibid.*, p. 95.

while timber was abundant and cheap, this style of building was recommended by economy ; now stone (which is almost always to be had) and bricks are less expensive, excepting to the owners of forests.

“The house usually contains (on the ground floor) one or two sleeping-rooms, besides a sitting-room and kitchen ; sometimes the same number of rooms is found in an upper story.” There is almost always a second, and often a third, story in the village houses in Germany. “The roof is invariably lofty, and serves the purpose of storehouse and barn. In its spacious cavity the threshed corn, the hay, and often the vegetable store for winter use, are kept. The housewife dries her clothes in winter on the crossbeams. A cellar is invariably found in better houses ; *and, in general, when a stranger is told that these are the abodes of people little above the station of cotters, he finds them splendid ;* when he hears that these cotters are the land-owners and masters of the soil, he scarcely knows how to estimate their position.”

In Saxony the houses, in the villages were so large, that I constantly inquired of my conductor where the poor of the villages resided. He said that several families often joined in taking or buying one good house, and in sharing the rooms between them. The houses of the peasant proprietors of Saxony are quite as good as, and often better than those of many of our farmers.

They generally belong to the inhabitants, who feel a pride in keeping them in good repair, and interested in doing so, from having experienced that it is cheaper to do so than to repair seldom and at long intervals.

The peasants of these countries, and, indeed, of most Continental countries, do not live as ours do, scattered over the face of the country, but always collected in large villages. A traveller will seldom find isolated houses. The villages are, therefore, generally much larger than ours ; because they contain all the people who, in England, would live in cottages scattered along the roadsides or in the fields.

A German professor, who knows England very well, once remarked to me, that it would be a much more difficult matter for us to educate all the children of our poor than for foreign countries to do so, because so many of our poor live apart from the village where the school would naturally be placed ; whilst abroad, as I have said, the people generally live close around



the village school, and are, consequently, able to send their youngest children there in almost all weathers.

The majority of the German and Swiss villages and towns have scarcely any cellar dwellings, or back alleys and streets, like the foul and degraded haunts of the lowest classes of our town poor. The majority of the German and Swiss poor are too civilised to live in such places. The towns of these countries, in the much better character of their suburbs and back streets, and in the almost total freedom from any class of children in any respect comparable to those which swarm in the gutters and on the door-sills of our back streets and alleys, form a strange contrast to most of the towns of England ; and a still stranger and more affecting contrast to the pauperism-haunted towns of Ireland.

Dr. Bruggeman, the Romanist counsellor of the Educational Bureau of Berlin, who had visited London, said to me, "*Your countrymen are unconscious of the extent of their town pauperism, and will be quite unable to believe you if you tell them the difference between the state of the English and of the Prussian poor.*" And so it is. I am unable to convey a clear idea ; but I advise my readers to spend a few hours in any of our back streets and alleys, those nurseries of vice and feeders of the gaols ; and to assure himself that children of the same class as those he will see in haunts—dirty, rude, boisterous, playing in the mud with uncombed hair, filthy and torn garments, and skin that looks as if it had not been washed for months—are always, throughout Germany, Switzerland, Denmark, and Holland, either in school or in the school playground, clean, well-dressed, polite and civil in their manners, and healthy, intelligent, and happy in their appearance. It is this difference in the early life of the poor of the towns of these countries, which explains the astonishing improvement which has taken place in the state of the back streets and alleys of many of their towns. The majority of their town poor are growing up with tastes which render them unfit to endure such degradation as the filth and misery of our town pauperism.

In many parts of Switzerland, as in the cantons of Berne, Zurich, Vaud, Schaffhausen, and others, as also in Saxony, the houses of the small peasant-farmers are pictures of rural prosperity and happiness. In Switzerland the houses are generally built, more or less, in the old quaint style known by us as Swiss cottages, with the great wooden eaves, the high-

pitched roofs, the open galleries outside, running round and forming an exterior passage from room to room, the quaint balustrades, the carved timbers, and the painted sentences or figures covering the walls or ornamenting the entrance. Great settles stand outside the door, on which the family sit in the fine evenings when the field-work is over, and on Sunday afternoons. The perfect neatness of everything connected with many of these houses is very curious. The family mansion, which has, perhaps, been in the hands of the same family for some time, is preserved in the most careful state of repair, and with the fondest veneration. The wooden palings enclosing the yards, the little gardens round the house, and the yards and offices themselves, look as if the family spent every spare minute in keeping them in order.

But even supposing it were true, which it most certainly is not, that the peasants were worse fed, worse clothed, and worse lodged in countries, where the land is so divided as to enable them to acquire a part of it, than in a country like ours, where it is in the hands of a few proprietors, still, even under such circumstances, it would be easy to prove that the condition of the peasant proprietors of the one country was a much happier, a much more moral, and a much more satisfactory one considered on grounds of national expedience, than the condition of the dependent and helpless labourers of the other.

The consciousness, that they have their fate in their own hands; that their station in life depends upon their own exertions; that they can rise in the world, if they will only be patient and laborious enough; that they can gain an independent position by industry and economy; that they are not cut off by an insurmountable barrier from the next step in the social scale; that it is possible to purchase a house and farm of their own; and that the more industrious and prudent they are, the better will be the position of their families; gives the labourers of those countries, where the land is not tied up in the hands of a few, an elasticity of feeling, a hopefulness, an energy, a pleasure in economy and labour, a distaste for expenditure upon gross sensual enjoyments,—which would only diminish the gradually increasing store,—and an independence of character which the dependent and helpless labourers of the other country can never experience. In short, the life of a peasant in those countries, where the land is not kept from subdividing by the laws, is one of the highest moral education. His unfettered position stimu-

lates him to better his condition, to economise, to be industrious, to husband his powers, to acquire moral habits, to use foresight, to gain knowledge about agriculture, and to give his children a good education, so that they may improve the patrimony and social position he will bequeath to them.

I repeat, then, that even if it were true that peasant proprietors were worse lodged, clothed, and fed than dependent day labourers, still there would be much to say in favour of a system which makes the peasants free, which enables the shopkeepers and peasants to acquire land, and which, by so doing, holds out a strong inducement to all the poor classes of the nation to practise self-denial, industry, and economy.

But it is not true that peasant proprietors are worse lodged, clothed, and fed than peasant labourers. Most certainly the peasant proprietors of Prussia, Saxony, and Switzerland, are better lodged, better clothed, and better fed than our labourers. Statistical writers tell us that a less quantity of animal food is consumed per head in foreign countries than in England. Even if this be true, it is easily accounted for by the great quantity consumed by our middle classes, and by the difference of climates and of national tastes. Our peasants scarcely ever eat any animal food, but our middle classes eat much more than the middle classes of foreign countries. With our cold humid atmosphere we require a more nourishing diet than they do. In many parts of those countries, and at certain parts of their seasons, it would be very injurious for the inhabitants to eat as much animal food as we do. But, however this may be, even if the peasant proprietors do not get a sufficiency of animal food, it is a very small self-denial in comparison with the immense benefits which they all feel they are deriving from *free trade* in land.

The accounts published in foreign countries fully bear out my descriptions of the houses of the peasant proprietors. Herr Meyer von Knonau, describing the peasants' houses in the Canton of Zurich, says<sup>1</sup>—"Almost all the houses are two, few three, but still fewer only one, story in height. On the ground-floor looking towards the south, may be almost universally found the family room, two bedrooms, and the kitchen. The first story is divided into bedrooms. Under the high-peaked roof, there are generally two small lofts above the upper story, where the corn and seeds, &c., are laid up.

<sup>1</sup> Gemälde der Schweiz, Zurich.

"The rooms are generally from seven to nine feet high, are roomy and light, and are guarded against the lightning of summer by lightning-conductors, and against the cold of winter by double windows or shutters.

"There are always tables in the family rooms, and the adjoining chambers also are furnished with tables; and the floors of all the rooms are boarded; under the broad and far overhanging eaves of the houses, the wood required for the household fuel is piled up. . . . Each family room has a large stove put up in one of the walls of the room, so that it may warm both the family room itself, and also one of the adjoining bedrooms, which is devoted to the use of the husband and wife and of the young children. In many of the family rooms there is a sort of oven, warmed from the stove, and used for drying linen and for baking fruit and other edibles. There are generally from three to four windows in the room, all of them side by side. Benches are placed under the windows, and before the benches stands the old-fashioned solid table. There is also a cupboard full of polished bowls and cups, of milk-cans, crockery of all kinds, books, towels, and brushes; and upon the cupboard, or in one corner of it, is the large folio family Bible. Over the stove, or the door of the room, hangs the militia musket. On the walls hang the bread-knife, the number of the year, a slate for the family accounts, a calendar, a looking-glass, a cover for soup, a small pair of scales, sentences learned at the time of confirmation, keepsakes and remembrances of deceased relatives and friends, the baptismal certificate of the children, and Scriptural, political, and still oftener illuminated, pictures of all kinds, generally framed and glazed.

"In a case on one side stands a carefully-preserved clock. Near the stove are the table and benches where the grandfather, grandmother, uncles, and aged friends of the family generally sit. Fastened by a small chain to a leg of the bench which stands under the windows, or hanging on a nail by itself, is the shoehorn; near it stands the saucer for the cats. On one side is a stool, the cradle, and a chest which can be also used as a seat. Under the stove (the bottom of which is generally at least a foot above the floor), are placed the boots and shoes; near the window the spinning-wheel, or the straw-plaiting apparatus used by the girls, and near the stove that used by the mother and grandmother. The kitchen, which generally contains a sink where all the washing is done, is beautifully neat and

clean. The older children and the servants sleep in the chambers of the upper floor, two in a bed ; upon the same floor are the clothes chests, and often the fruit and lumber stores, the meal, bran, and salt-boxes, bundles of yarn, dried sausages, hams, and flitches of bacon. The generally deep cellars contain in very different proportions beer, fruits, &c. In the cowsheds and stables reign great order and cleanliness."

The average number of inhabitants in each house in the canton of Zurich is about nine persons ; in some parts of the canton it is only seven, and in some only six persons. In the canton of Argovie, the average is eight persons in each house.

Herr Bronner, librarian of the canton of Aargau, describes the houses of the peasant farmers, as follows :<sup>1</sup> —

"In the villages, the plan of the building of a good peasant house is generally much the same. Under one roof of tiles, or of straw, the following different buildings are united :—1. The dwelling-house of the family. 2. The threshing-floor. 3. The cowshed. 4. The barn. The waggonshed and pigsty are detached from the building. In general, the roof of the house projects some distance over the walls, in order that the overhanging eaves may afford covering for the farming implements, the plough, &c., and for the store of wood for the fuel. This makes the upper chambers very dark ; but they are accustomed to this, and think that it is fully compensated by the extra warmth and by the shelter afforded by these overhanging eaves.

"Connected with these houses there is generally a garden full of flowers and vegetables, a well arranged dung-heap ; and, in many cases, a constantly running fountain with a basin of clear water before it, where the cattle can drink.

"Near the house door there is a bench, generally placed against the wall, where the friends and neighbours of the family sit and rest themselves after the day's work is over, and talk over their concerns."

Speaking of the same houses, he says :—"Stone steps ornament the entrance. The bright roomy dwelling-room on the ground-floor, with the warm stove, with convenient tables and benches by the walls, with the cupboard full of crockery, &c., and with the clock ; the kitchen next to this room, and the bedrooms, show a no small degree of comfort and prosperity. Such houses are not certainly the most numerous in the villages, but neat

<sup>1</sup> Gemälde der Schweiz, Aargau.

stone houses of less size are generally common enough. Even the straw-thatched houses, with their overhanging roofs, have their own peculiar advantages. They are cheaper than the stone houses, and yet very warm. . . . They are not, perhaps, so clean as the others ; but are generally, where the housewife is active, very well taken care of."

Herr Bronner says, that many of the houses of the day labourers, who do not possess farms of their own, are much poorer than the houses of peasant farmers. Among the mountains, too, the houses are much meaner and much less commodious than the houses of the valleys and plains ; but all the accounts agree in stating, that since the people were freed from the old feudal burdens and restrictions, and since they have been receiving a good education, the houses have been everywhere, and even in the mountain villages, rapidly and steadily improving in size, in appearance, and in comforts.

Herr Strohmeier, after describing the old wooden, straw-covered, and badly-built houses, which used some years ago to be built in the canton of Solothurn, says:<sup>1</sup>—"These straw-covered houses lessen in number, or are improved, year by year ; houses are no longer built of wood alone and covered with straw. As the intelligence of the people becomes more and more enlightened, and education is enlightening it, so also do the dwellings of the people become more and more comfortable, commodious, and handsome. Light or dark, well ventilated or close houses have the greatest influence for good or ill upon the character of a people. At the present time, the houses of the peasants are not built together so closely as formerly, but are situated in healthy and open situations. Great proud buildings of a really stately appearance may be constantly met with in all the villages, and even among the mountains. The building there consists generally of two floors. Adjoining it are two roomy barn-floors, two stalls for cattle, and one or two sheds for carts. Before the dwelling-house there is always a very neat flower-garden. Such dwelling-houses prove the prosperous condition of the free Swiss proprietors."

Of course, in all the cantons there are still houses of a miserable character ; but all the reports agree in representing these to be exceptions, and to be diminishing constantly in numbers.

In the canton of Thurgovie, Herr Pupikofer says:<sup>2</sup>—"Generally

<sup>1</sup> *Gemälde der Schweiz*, vol. x. p. 79.

<sup>2</sup> *Ibid.*, vol. xv'i. pp. 62, 63.

speaking, every family dwells in its own house ; very few live in rented houses. It is very seldom that several families are obliged to share the same family room and kitchen.

“ The old style of houses is progressively giving place to better built, more comfortable, and more roomy dwellings. Even in the end of the last century, it had become common to cover the roofs of the houses with tiles, and to build the walls of wood and composition, or of stone.

“ The floor of the groundfloor rooms, used as the family room and kitchen, is now often raised some few feet above the ground, in order to leave a greater space for the cellars beneath, where the stores are kept, and to make the groundfloor rooms dryer and healthier.”

Professor Vulliemin, in describing the houses of the peasants in the canton of Vaud, says:<sup>1</sup>—“ Everywhere throughout the canton well-built and roomy peasants' houses are rising : and this is the surest proof of the *growing prosperity* of the peasants.”

He says, that the dwelling-houses have cellars, a groundfloor, and a second story where the sleeping-rooms are. The ground-floor, he says, contains the dwelling-room of the family, a kitchen, and a children's bedroom. Over these rooms, which are of good size, are the sleeping-rooms of the rest of the family.

Herr Im-Thurm describes the peasants' houses of the canton of Schaffhausen as large buildings, containing under one roof, dwelling-house, cowshed, and barn. The dwelling-house, he says, is generally two, and sometimes three, storeys high, with cellars beneath the groundfloor. The groundfloor generally consists of a dwelling-room, a kitchen, and a small room for the parents. The upper floor is divided into bedrooms for the children and farm assistants. “ Few houses,” he says, “ have three, or even two, families, as inmates, and in still fewer do two families live together in the same dwelling-room.”

Herr von Knonau, in his description of the canton of Schweitz, says:<sup>2</sup>—“ Four hundred years ago Gessler's anger was excited by Stauffacher's beautiful house. A few years back, jealousy would have been excited in the same way among the inhabitants of a village, if any one had built a beautiful and ornamented house ; they would have thought it too fine. In the canton of Schweitz many such houses have now long existed. There are no houses which are built of stone, and very few which are built

<sup>1</sup> *Gemälde der Schweiz*, vol. i. p. 303.

<sup>2</sup> *Ibid.*, vol. v. p. 106.

altogether of brick. The walls of the groundfloor, however, are generally constructed of these materials ; while those of the upper floors are formed of wooden frames, filled up with brick and plaster. There are very few slate roofs in the canton (in the whole canton there is only one cowshed which is covered with slates). The houses are roofed with tiles, throughout the canton. The old wooden roofs are becoming more rare every day.

“ The house rests generally upon a wall, which rises about six feet above the ground,” and forms the cellar where the potatoes are kept. “ It is customary to build the houses higher than formerly ; so that *houses of four, and of even more than four, storeys in height are no longer uncommon*. Sometimes the peasant proprietors cover the wooden beams of which the walls of the house are formed, upon the west and north sides of the house, with small panels of oak, in order more effectually to protect the beams from rain and snow.”

These houses, Herr von Knonau informs us, have a kitchen, a good-sized dwelling or sitting-room, and a small chamber on the groundfloor, and three or four bedrooms on the second floor. Under the groundfloor rooms are cellars, where the potatoes are stored. The bedrooms of the upper story are united by an open and ornamental balcony, which runs round the outside of the house, covered above by the overhanging eaves, and communicating with the bedrooms.

Mr. Jellinger Symons, now one of Her Majesty's Inspectors of schools, says,<sup>1</sup>—“ The cantons of St. Gall and Appenzel, which are, perhaps, among the first of the German manufacturing cantons, present the most enchanting picture of the happiness of the artizans. . . . The canton of Appenzel presents the *maximum* of prosperity and contentment among the peasantry of Switzerland. I had a favourable opportunity of examining them, whilst visiting my venerable friend M. Zellweger, to whose eminent philanthropy the canton chiefly owes its superior welfare, and to whom Switzerland is indebted for many of those well-appreciated principles of political economy and social government, which have created the prosperity which signalises her among the nations of Europe. I visited many of the cottages of the artizans of Appenzel with M. Zellweger, and was invariably *delighted* by the high degree of ease and peacefulness they exhibited.

<sup>1</sup> Quoted by Mr. Chambers in his *Tour in Switzerland*, p. 86.



"I confidently believe that it would require 30s. per week in England, in the neighbourhood of any country town, to put a man, his wife, and three children (two of whom shall be above fifteen years of age) in the same condition as, and in all physical respects on a footing with, the average of Swiss artizan peasants, having the same family."

Mr. Chambers himself says,—“Switzerland in every quarter presents a spectacle of humble independence and happiness, which is exceedingly pleasing to contemplate. . . . Switzerland is unquestionably the paradise of the working-man. . . . Both Bowring and Symons are in rapture with the cottage system of the Swiss artizans; I own it is most attractive, and, as I have said, is doubtless productive of much happiness.”

Mr. Symons says, again,<sup>1</sup>—“The Swiss labourer is, as I have stated, almost universally the proprietor, or the son of a proprietor of land, and few householders are there in the whole canton (Argovie) who do not keep a pig, and generally a few sheep. Their cottages are strewn over the hills and dales, and exhibit in the interior every degree of comfort and ease.”

Herr Mügge, writing of the social condition of the people of the canton of Vaud, says,<sup>2</sup>—“The distinctions of rank have been more completely abolished in this canton than in any other; but the influence of the nobles has not been extinguished without great sacrifices, for Vaud did not, like France, abolish all privileges at a blow. All feudal rights, duties, tithes, and so forth, were purchased from the proprietors, and cost the canton a sum of three millions of dollars; and this could not, of course, have been done had its affairs not been in a prosperous condition; but the freedom of movement thus acquired has been in its turn a cause of greatly-increased prosperity. When we consider the brief period, scarcely half a century, in which it has been in the enjoyment of independence, and that previous to that the Bernese and the Dukes of Savoy had ruled it through satraps, who oppressed and exhausted the country in the most shameful manner, *the progress it has already made is really astonishing.*

“Wooden houses are already giving place to handsome buildings of freestone and marble; the value of the soil is extraordinarily high; no canton has more numerous herds of cows, horses, sheep, goats, and pigs; large quantities of wine

<sup>1</sup> Chambers' Tour in Switzerland, p. 86.

<sup>2</sup> Switzerland in 1847, by Theodore Mügge; translated by Mrs. Percy Sinnett.

are grown, the finest liquors are manufactured ; and the excellent cheese of the Vaud forms, as is well known, an article of considerable trade."

Sismondi, in speaking of the Swiss peasants and their houses, says :<sup>1</sup>—" It is Switzerland particularly that must be gone over, that must be studied, to judge of the happiness of peasant proprietors. Switzerland has only to be known to convince us that agriculture, practised by those who enjoy the fruits of it, suffices to procure great comfort to a very numerous population, great independence of character—the fruit of an independent situation,—and great exchange of what is consumed—the consequence of the well-being of all the inhabitants,—even in a country where the climate is rude, the soil moderately fertile, and where late frosts and uncertain seasons often destroy the hopes of the labourer. Whether we pass through the cheerful Emmenthal, or bury ourselves in the most distant valleys of the canton of Berne" (*even in the heart of the mountains, for I have visited the most secluded valleys, and know that even there these remarks generally apply*), " we cannot see without admiration, without being affected, those wooden houses of the least peasant, so vast, so well constructed, and so covered with carvings. In the interior every detached chamber of the numerous family opens into large corridors ; each room has only one bed, and is abundantly provided with curtains and with coverings of the whitest linen ; furniture carefully kept surrounds it ; the closets are full of linen ; the dairy is large, well ventilated, and exquisitely neat ; under the same roof are found provisions of corn, of salt-meat, of cheese, and of wood ; in the stables are seen the most beautiful and best managed cattle in Europe ; the garden is planted with flowers ; the men, as well as the women, are warmly and properly clad ; and the latter preserve with pride their ancient costume, and bear in their countenances the marks of vigour and of health. . . . Let other nations boast of their opulence, Switzerland may always with pride place its peasantry in opposition to it."

Mr. Laing says :<sup>2</sup>—" The peculiar feature in the condition of the Swiss population—the great charm of Switzerland, next to its natural scenery—is the air of well-being, the neatness, the sense of property imprinted on the people, their dwellings, their plots of land. They have a kind of Robinson Crusoe industry

<sup>1</sup> See his *Etudes sur l'Economie Politique*.

<sup>2</sup> *Notes of a Traveller*, p. 354.

about their houses and little properties ; they are perpetually building, repairing, altering, or improving something about their tenements. The spirit of the proprietor is not to be mistaken in all that one sees in Switzerland. Some cottages, for instance, are adorned with long texts from Scripture, painted on, or burnt into the wood in front over the door : others, especially in the Simmenthal and the Haslethal, with the pedigree of the builder and owner ; these show sometimes that the property has been held for 200 years by the same family. The modern taste of the proprietor shows itself in new windows, or in additions to the old original picturesque dwelling, which, with its immense projecting roof sheltering or shading all these successive little additions, looks like a hen sitting with a brood of chickens under her wings. The little spots of land, each close no bigger than a garden, show the same daily care in the fencing, digging, weeding, and watering."

Mr. Nicholls, writing of the small proprietors of Belgium, says :<sup>1</sup>—"The small farms of from five to ten acres, which abound in many parts of Belgium, closely resemble the small holdings in Ireland ; but the small Irish cultivator exists in a state of miserable privation of the common comforts and conveniences of civilised life, whilst the Belgian peasant farmer enjoys a large portion of those comforts. The houses of the small cultivators in Belgium are generally substantially built, and in good repair ; they have commonly a sleeping-room in the attic, and closets for beds connected with the lower apartment, which is convenient in size, a small cellarage for the dairy, and store for the grain, as well as an oven and an out-house for the potatoes, with a roomy cattle-stall, piggery, and poultry-loft. The houses generally contained decent furniture ; the bedding was sufficient in quantity ; and although the scrupulous cleanliness of the Dutch was everywhere observable, an air of comfort and propriety pervaded the whole establishment. In the cowhouses, the cattle were supplied with straw for bedding ; the dung and urine were carefully collected in the tanks ; the ditches had been scoured to collect materials for manure ; the dry leaves, potato-tops, &c., had been collected in moist ditches, to undergo the process of fermentation, and heaps of compost were in course of preparation. The premises were kept in neat and compact order : and a scrupulous atten-

<sup>1</sup> See his *Inquiry into the Condition of the Poor in Holland and Belgium*, p. 164.

tion to a most rigid economy was everywhere apparent. The family were decently clad ; none of them were ragged or slovenly, even when their dress consisted of the coarsest materials. The men universally wore the blouse ; and wooden shoes were in common use by both sexes. The diet consisted to a large extent of rye bread and milk : the dinner being usually composed of a mess of potatoes and onions, with the occasional addition of some ham or slices of bacon. The quantity of wheaten bread consumed did not appear to be considerable. *I need not point out the striking contrast of the mode of living here described with the state of the same class of persons in Ireland."*

Reichensperger says, that, since the laws were issued in Prussia, in 1807, which, by enabling every landowner to sell his land and to effect the conveyance at a small expense, enabled the peasants to purchase land, and thus created a large class of small proprietors, *the people in Prussia are better dressed, better fed, and better housed than they used to be ;* and that this fact is the clearest proof of the excellent effects of freeing land from the trammels of the feudal regulations.

I have already mentioned the singular difference between the state of the cottages and the condition of the peasants of Saxony, and of those parts of Prussia where they are educated proprietors of the soil ; and the state of the cottages and the condition of the peasants of Bohemia and Austria, and of those parts of Prussia where the peasants are, like the poor Irish, only the under-lessees of great proprietors, who reside and spend their incomes in a distant capital. This difference is so remarkable as to strike the most casual observer. The cottages of the peasantry in Bohemia, and in other parts of the Austrian empire, and in those parts of Prussia where the land is in the hands of great proprietors, the descendants of the old feudal nobility, are very like the cottages of the peasants in Ireland and many parts of England. They are one low story in height, old and wretched in appearance ; grouped together in straggling, crowded, dirty villages ; looking as if they belonged to proprietors who had no spare income to spend upon the repair of cottages, or upon the improvement of estates ; or as if they were under the care of agents, who were only interested in getting all they could out of the peasantry. The inhabitants of Prussia and Saxony point with pride to the different effects of the great estate and small estate systems,

and to the continually increasing comfort and happiness of the peasant proprietors. The cottages of Austria generally look like the cabins of half-civilised squatters; those of Saxony, Prussia, and Switzerland, like the homesteads of flourishing and civilised farmers.

But why this difference between the results of the two systems? Why should the houses of the under-lessees of great landlords be generally so miserable, and those of tenant proprietors be generally so good and comfortable? I will endeavour to answer the question.

1. In the former case, the land has to support, not merely those who are engaged in its cultivation, but (besides these) the landlord. Now, however expedient it may be that the landlord should have a large income, a splendid mansion, and all conceivable luxuries; yet it is quite clear that the produce of the land, which goes to build and adorn his great house, and provide him with all his pleasures, would, were the land in the hands of small proprietors, be divided among them. It is impossible to deny that if the *owner* of land cultivates it himself he receives the whole of the produce; but that if he does not, all that part of the produce, which is paid to him, and is employed in enhancing his luxuries and comforts, reduces by so much the share of the produce to be divided among the actual cultivators.

In Germany, Switzerland, Belgium, and France, the houses that are enlarged and ornamented by the extra produce of the land are the cottages and farms of the small proprietors. In England, the houses thus enlarged and ornamented are the mansions of the large proprietors. Which of these arrangements conduces most to the well-being of society, is a separate question; but it is quite clear, from the experience of every country in Europe, that where a large part of the income from the land belongs to great proprietors, their houses will be magnificent, and the cottages of the peasants generally miserable; and that where the whole income from the land is distributed among the peasants themselves, their cottages will be more comfortable and commodious, and the mansions of great landowners fewer and less magnificent.

The *spare wealth* drawn from the land, after paying the expenses of cultivation, can clearly do only the same amount of work under either arrangement of society. It can pay for a certain amount of bricks, of chairs, of tables, of looking-glasses,

of books, &c. If it is spent upon the walls of one great house, and upon stocking that one great house with splendid chairs, tables, mirrors, &c., and its great gardens with choice flowers and shrubs, then it can do no more. If, on the other hand, it is spent in building up the small walls of many small houses, and filling them with chairs, tables, crockery, &c., and their small gardens with pinks and roses, then it can do no more. In so far as it does one, it cannot do the other. Under the peasant proprietor system, the *whole* of this *spare wealth* is devoted to the latter purpose.

2. A second cause, why the cottages upon the estates of great proprietors are generally much less good and comfortable than where they and a portion of the land belong to their occupants, is, that the means at the command of the tenants on the great estates are diminished, not only by the division of the produce of the land between the tenant and the proprietor, but also by the unnaturally high cottage rents, which the great-estate system causes.

For, where the land belongs to great proprietors, the cottage rents are always higher than their natural level, because the great landowners, from a fear of increasing the number of the miserable labourers (who are almost always the appendants of great estates), and of augmenting, by this means, the amount of their poor rates, generally keep the number of the cottages much below the number actually required by the population. The population, also, as I have already shown, increases much faster under the great-estate system than under the small-estate system; so that the competition for the cottages on the great estates is rendered doubly severe,—(1.) by the unnatural diminution in the number of the cottages, and, (2.), by the unnatural increase in the number of the population. This competition for cottages has the effect of raising the rents considerably, as the poor peasants bid against one another, even beyond the value of the cottages, for their possession. Every increase, however, in the rent, diminishes by so much the slender means of the cottagers, and renders them by so much the less able to spend upon the improvement of their cottages; while the small proprietors, who own the houses they inhabit, who work with greater intensity, and therefore produce more than ordinary labourers, and who receive the whole amount of their production for their own use, are both willing and able to improve.

3. The tenant cottager has but a languid motive to do any-

thing himself to better his cottage and to make it weather-proof, roomy, and comfortable, compared with that which excites to exertion the man who feels that his cottage is *his own*; that no one can turn him or his children out of it; that whatever he expends upon it will be so much gain to himself during his life, and to his family afterwards, and who, besides the bare calculation of profit, is animated to do all he can to improve his *own* home, by the exhilarating and personal interest he feels in the well-being of that which belongs to himself, and which shelters, comforts, and supports his family, and those dearest to him.

4. A fourth reason why the cottages of the peasantry are not so good in countries where the land is divided among a few great proprietors is this: the great proprietor is not generally able, even if he be willing, to spend much upon the cottages of his tenantry; and even when he is able, he is not interested in spending on such an object more than is absolutely necessary. A great landlord has not, generally, so much to spare in proportion to his wealth as a smaller one. Ideas of luxury and the standard of necessary expenditure increase *at a greater ratio* than the means of satisfying those ideas. A great landlord often fancies that he is obliged to keep up a certain appearance in the world, to live as much like his next richer neighbour as possible, and to make as great a display as possible of wealth, in order thereby to increase his influence.

Such a man (and how many such are there not?) needs all he has for the fancied requirements of his position. He does as little as possible to his estate and to the houses of his tenantry. He thinks that if he keeps them weather-proof he does his duty, and that if he provides cottages which are just large enough to let a family squeeze into them, it is all that can be expected from one who is obliged to spend his last available farthing in keeping up a certain style in the world; for he often learns to imagine it a higher duty to do this than to care for his tenants or his labourers.

If he hears of the complaints of his tenant at all, it is to be told that it is only his squeamishness; that the cottage gives his family two rooms; that the roof keeps out the rain, and that this is all a tenant has a right to expect. Besides, what is such a proprietor to do, if he listens to the whims and fancies of *all* his tenants. Supposing they were all to ask for houses and farmsteads like those of the German, Swiss, and Dutch peasants, where would the landlord's income and his luxuries

be? The agent, therefore, keeps the cottage in repair ; but he does nothing more ; or when he is forced to build a new cottage, he builds it no larger than is absolutely necessary. In this way the peasant gets pinched at both ends. The division of the profits of the land between the landlord and the tenant, the fancy rents, and the uncertain tenure, prevent the peasant doing much for himself, while the landlord's own wants often prevent him improving for the peasant.

The consequence is, that partly owing to the above causes, and partly to the neglected education of the people, the peasants in Ireland are living and breeding like pigs, while in England and Wales the cottages of our peasantry are shamefully inferior to those of Germany, Switzerland, and Holland. I do not mean to say that this picture is universally true, but, unhappily, it is generally so.

Why is it that in England an *owner* of a house takes so much pleasure in improving it, and in keeping it in order? Is it not because he feels it is his own ; because he knows that his own family will derive the benefit of all his improvements ; because he feels a sort of attachment to the house which he has either received from his ancestors, or purchased with the produce of his own labour? The improvements which an owner makes on his own house, and the money he spends upon it, he does willingly and as a work of love ; but is it the same with a mere tenant of a house? Does the leasehold tenant, or the tenant from year to year, spend willingly upon improvements? Does either of these, and especially the latter, make additions to the house, or even repair anything, except what the terms of his lease oblige him to repair? Does a tenant, in the higher or middle ranks of life, act in this way? and if he does not, can it be expected that a poor peasant, who in our country is never anything more than a tenant-at-will, or from year to year, will expend money on improving property in which he has not any certainty of tenure for more than a year at the outside?

Repeal all the laws which prevent the sale of landed property in Ireland, and which keep the whole country in the hands of a few men, who are most of them deep in debt, and have not capital wherewith to cultivate their estates ; enable the landlords in *all* cases to sell the land out and out ; enable the farmers and peasants by these means to purchase, and prevent henceforward any settlement of landed property which



would prevent its being sold after the death of him who settled it ; and you would soon change the face of things there, as the great statesmen of Prussia, Stein and Hardenberg, by *similar means*, renovated the face of Prussia.

The Irish, who make such good colonists when they emigrate,<sup>1</sup> would, with a system of free trade in land, make equally good citizens at home. The enormous tracts of waste lands would be soon brought into cultivation, as the mountain sides of Saxony and Switzerland, as the sandy plains of Prussia, and as the low lands of Holland have been under the same invigorating system. Capital would make its appearance in Ireland from a thousand unexpected sources ; a good class of yeomanry would grow up there, as in Germany, Holland, Belgium, Denmark, Switzerland, and France ; while, as has been the case in these countries, since the subdivision of the land among the peasants, the habits, manners, dress, appearance, and industry of the people would all revive and improve under the invigorating influence of a sense of ownership, and of a consciousness in the labourer's mind that he may be prosperous and happy, if he choose to be patient, self-denying, and industrious. If Stein and Hardenberg had been ministers of England, depend upon it they would have endeavoured long ago to introduce into Ireland, at least, that system which has raised the Prussian, Saxon, and Swiss peasantry from a social condition, analogous to that of the Irish poor, to one which renders them worthy of being regarded as examples for the consideration of the world.

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8. *The respect for property, and the absence of enclosures, enable the townspeople in Germany to enjoy walks through the fields.—The little respect shown for landed property in our manufacturing districts.*

The greatest of all advantages, which the peasants of Germany, Switzerland, France, and Holland enjoy, in the way of amusement, is their being able, on holidays and Sundays, to walk through the fields in every direction. The land is scarcely ever enclosed. The plots belonging to the small and greater farmers lie side by side, without any other separation than a path, or a furrow to mark out the boundaries. There are no hedges, no park walls, no palings, and very few

<sup>1</sup> That they do, see authorities collected in *Edinburgh Review* for Jan. 1850.

enclosed pieces of lands. Along the walks, which are made on the lands to the different farms and plots, any one may ramble, without any chance of interruption, as long as he does not tread upon the cultivated ground. In the neighbourhood of towns, the land is scarcely any more enclosed, except in the cases of the small gardens which surround the houses, than in the more rural districts. Yet this right is seldom abused. The condition of the lands near a German, or Swiss, or Dutch town, is as orderly, as neat, and as undisturbed by trespassers, as in the most secluded and most strictly preserved of our rural districts. All the poor have friends or relations who are themselves proprietors. Every man, however poor, feels that he himself may, some day or other, become a proprietor. All are, consequently, immediately interested in the preservation of property, and in watching over the rights and interests of their neighbours.

This freedom from enclosures, and this ability to walk anywhere, are of incalculable advantage to all the poor, and more especially to those who live in the towns, and in the manufacturing districts. They are thus enabled to enjoy, at least on Sundays, country walks, good air, and healthy recreation. They are never confined in their rambles to dusty roads or lanes, but may walk through the richly-cultivated fields.

In our manufacturing districts, and in the neighbourhood of our large towns, the results of a different system of landed tenures may be seen. Where the boys of the towns can get into the fields, there devastation follows. Hedges are destroyed, the herbage is killed, and cultivation is trampled down. The land, in the neighbourhood of most of the Lancashire towns, wears a singular aspect of untidiness, trespass, and devastation. If a path crosses a field, the passengers do not religiously avoid the grass on each side, as they do in Germany and Switzerland, where the peasants own the lands, but they make three or four parallel tracks on the grass, apparently out of mere wantonness; so that I have seen cases in Lancashire, where proprietors have found it better worth their while to build, at great expense, two long parallel walls, confining the path between them, than to leave it to passers to please themselves whether they keep to the path, or wander over the fields, destroying the herbage.

Where the people can get in, the hedges are broken through and through, the trees are stripped for sticks, and the ditches

are trodden in, by lads practising jumping over them ; and, what is worse, every fruit tree which is not strictly guarded, is soon cleared of its fruit.

All this makes the owners of land in Lancashire, and near our larger towns, necessarily and naturally anxious to keep the operatives and lads out of their lands. Enclosures of the strongest kind are therefore becoming more and more numerous, and the rural walks are being gradually spoiled by walls ; so that while the population is becoming denser and denser, the labourers are being shut into the high roads and lanes more and more, and the public paths through the fields are being themselves enclosed by fences on either side, from the absolute necessity of protecting the land from the depredations of those who feel no interest whatever in its being kept in good condition.

One proof, among many others, that a system like that of Germany, Switzerland, France, and Holland, would in England produce, in this respect, a result similar to that produced in those countries, may be derived from the fact, that where there are any allotments, even merely *rented* by the poor, in the neighbourhood of a manufacturing town, however near to the town they lie, and however exposed and unenclosed they may be, they are quite safe, and are undisturbed, showing that the people have a great respect in general for the property which belongs to any of themselves. Instances of this kind may be seen in the neighbourhood of Birmingham, Preston, and some other towns in England.

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9. *The excellent education given to the poor of Germany, Switzerland, and Holland, the great subdivision of the land, and the amusements of the people, tend very materially to improve the health and social comfort of the poorer classes in the towns.*

. . . . .

Counsellor Reichensperger, in his learned work "Die Agrarfrage," says <sup>1</sup> :—" In general there can be no doubt that, in those countries where the land is subdivided, and where the subdivision is not extremely small, the people are *well fed*, well

<sup>1</sup> Die Agrarfrage, p. 43.

clothed, highly civilised, both physically and mentally, and comfortably housed; that under the influence of the small proprietor system, the whole subdivided land exhibits, in every part, the proof of industry and of praiseworthy improvement; and that, by the happy change of different kinds of cultivation, by rich orchards and by products and manufactures of all kinds, it exhibits the significant proof of evenly divided and real prosperity."

The remarkable increase in the quantities of bread and meat consumed per head by the people of Prussia, since the division of the land, is one proof among others of the improvement in their social condition.

It appears<sup>1</sup> that the increase in the consumption of grain per head of the population, in seven large towns of Prussia, between 1831 and 1841, was as follows:—

	1831.			1841.		
	Wheaten Bread.	Rye Bread.	Total.	Wheaten Bread.	Rye Bread.	Total.
	lbs. oz.	lbs. oz.	lbs. oz.	lbs. oz.	lbs. oz.	lbs. oz.
Berlin . .	84 7	180 7	268 14	107 2	175 10	282 12
Breslau . .	52 10	256 6	309 0	150 12½	227 14½	378 11
Königsberg.	61 14	213 3	274 15	60 8½	215 6½	275 15
Danzig . .	45 5	220 12	265 15	52 14	232 1½	284 15½
Stettin . .	101 2	249 0	350 14	106 14	312 14	419 12
Halberstadt	65 9½	286 2	351 11½	84 11	315 8	400 3
Brandenburg	86 10½	216 7	303 1½	92 11½	266 6	359 1½

The consumption of corn in *all* the Prussian towns increased, between 1805 and 1831, 10 lbs. 12 oz. rye per head, with a diminution of only 1 lb. 10 oz. per head in wheat, and a very considerable increase per head in the consumption of potatoes!

There are, however, some towns in Prussia, as Magdeburg and Potsdam, where the consumption of bread per head since 1831 has somewhat lessened. But the consumption of all the great towns taken together, shows a considerable progress since 1831, both in the *quantity* and in the *quality* of the food

<sup>1</sup> See a very interesting paper published by Mr. Banfield, in the eleventh volume of the Journal of the Statistical Society, and founded upon the reports of my friend, the Prussian Minister of Statistics.

eaten by the people. This increase in the great towns is represented to have been as follows :—

Years.	Consumption of lbs. per head.					
	Wheaten Bread.		Rye Bread.		Total.	
	lbs.	oz.	lbs.	oz.	lbs.	oz.
1831	65	5½	240	12½	306	2
1841	78	14½	237	13½	316	12
Increase per head of the consumption of bread from 1831 to 1841 . . . . .						10 10

But what is still more remarkable, is, that since the division of the land among the peasants, the quantity of *meat* consumed per head, by the population of the *whole* kingdom, has also greatly increased, notwithstanding the increase in the numbers of the population.

In 1805 the average quantity of meat consumed by each person in Prussia was . . . . . 33 $\frac{8.2}{100}$  lbs.  
 In 1831 ditto ditto . . . . . 34 $\frac{7.4}{100}$  lbs.  
 In 1842 ditto ditto . . . . . 35 $\frac{1.4}{100}$  lbs.  
 Increase per head of the consumption of meat from 1805 to 1842 . . . . . 1 $\frac{2.2}{100}$  lbs.

While in the following towns the increase, in the average quantity of meat eaten by each individual, had increased still more remarkably :—

	1805.		1831.		1842.	
	lbs.	oz.	lbs.	oz.	lbs.	oz.
Berlin . . . .	83	6	104	8½	116	13
Breslau . . . .	94	1	76	12	95	2
Danzig . . . .	72	31	75	9½	83	3½
Magdeburg . . . .	63	25	82	8	92	9½
Potsdam . . . .	62	22	84	0	101	12½
Stettin . . . .	88	9	72	0	104	13½
Erfurt . . . .	65	23	71	11½	75	13½
Halberstadt . . . .	51	1	62	13	71	15½
Brandenburg . . . .	56	2	51	3	78	14
Neisse . . . .	59	26	63	11	62	14½

When it is considered how very greatly the population of Prussia has increased since 1804, viz., from 10,000,000 in 1804, to 15,000,000 in 1841, it will be evident to all, that this increase, in the quantity of good wholesome food eaten by the people, is an undeniable proof of the good effects of their social system, and proves incontestably that the social condition of the people is progressively improving.

A further proof of the improved social condition of the people of Prussia, since the subdivision of the land, is the increase, which has taken place since that event, in the general consumption of the whole country. The following table, taken from the able work<sup>1</sup> of the Minister of Statistics in Berlin, shows what the amount of this improvement in the social condition has been.

Food and Materials.	1805.	1842.
	Quantity consumed [per Head.	Quantity consumed per Head.
Bushels of Wheat, Corn, &c.	4	4
Pounds of Flesh . . . .	33	35
„ Rice . . . .	$1\frac{3}{10}$	$1\frac{1}{10}$
„ Sugar . . . .	$1\frac{1}{10}$	5
„ Coffee . . . .	$1\frac{1}{10}$	$2\frac{1}{2}$
„ Salt . . . .	17	17
„ Tobacco . . . .	$1\frac{1}{2}$	$3\frac{1}{10}$
Ells of Cloth . . . .	$1\frac{1}{4}$	$1\frac{1}{3}$
„ Linen . . . .	4	5
„ Woollen Stuffs . .	$3\frac{1}{4}$	13
„ Silks . . . .	$1\frac{1}{4}$	$3\frac{3}{8}$

The Prussian people, therefore, eat more bread, meat, rice, and sugar, as much wheat and corn, drink more coffee, and wear more cloth, linen, woollen stuffs, and silks, than they did before the peasants were enabled to purchase lands.

The Prussian Minister of Statistics, after giving these remarkable statistics, says<sup>2</sup> :—“The principal object of agriculture is to obtain bread and meat. As our Prussian agriculture raises so much more meat and bread on the same extent of territory than it used to do, it follows that agriculture must have been greatly increased both in science and

<sup>1</sup> Der Volkswohlstand im Preuss. Staate ; pp. 23, 218, and 250.

<sup>2</sup> Ibid., seite 251.

industry. There are other facts which confirm the truth of this conclusion. The division of estates has, since 1831, proceeded more and more throughout the country. There are now many more small independent proprietors than formerly. Yet, however many complaints of pauperism are heard among the dependent labourers, WE NEVER HEAR IT COMPLAINED, THAT PAUPERISM IS INCREASING AMONG THE PEASANT PROPRIETORS. Nor do we hear that the estates of the peasants in the eastern provinces are becoming too small, *or that the system of freedom of disposition leads to too great a division of the father's land among the children.* Complaints such as these are heard in a few exceptional cases from the western provinces of the kingdom, where there was freedom of disposition before 1806. They are not, therefore, the necessary consequences of the law, which regulates the rights of the possessors of land. Throughout the kingdom, wherever the small proprietor has become the *unfettered* owner, there agriculture has been delivered from all the fetters which used to impede its improvement. The owner is well acquainted with his small estate. *It is an almost universally acknowledged fact, that the gross produce of the land, in grain, potatoes, and cattle, is increased, when the land is cultivated by those who own small portions of it;* and if this had not been the case, it would have been impossible to raise as much of the necessary articles of food, as has been wanted for the increasing population. Even on the larger estates, the improvement in the system of agriculture is too manifest to admit of any doubt. . . . Industry, and capital, and labour, are expended upon the soil. It is rendered productive by means of manuring and careful tillage. The amount of the produce is increased. . . . The prices of the estates, on account of their increased productiveness, have increased. The great commons, many acres of which used to lie wholly uncultivated, are disappearing, and are being turned into meadows and fields. The cultivation of potatoes has increased very considerably. Greater plots of lands are now devoted to the cultivation of potatoes than ever used to be. . . . The old system of the three-field-system of agriculture, according to which one-third of the field used to be left always fallow, in order to recruit the land, is now scarcely ever to be met with. . . . With respect to the cattle, the farmers now labour to improve the breed. Sheep breeding is rationally and scien-

tifically pursued on the great estates. . . . A remarkable activity in agricultural pursuits has been raised ; and, as all attempts to improve agriculture are encouraged and assisted by the present government, agricultural colleges are founded, agricultural associations of scientific farmers meet in all provinces, to suggest improvements, to aid in carrying out experiments ; and even the peasant proprietors form such associations among themselves, and establish model farms and institutions for themselves."

The accounts of Switzerland agree with the above remarkable extract, and agree in stating that of late years the food of the people has considerably improved.

Herr Pupikofer says,<sup>1</sup> that, in the canton of Thurgovie, the *food of the people has considerably improved of late years*,—that coffee and potatoes have taken the place of the groat-gruel, which used to be eaten at breakfast ; that the dinner formerly consisted, generally, of soup, dried meat, flour-cakes, and fruit ; but that now fresh meat is often eaten instead of the flour-cakes, that potatoes are exchanged for fruit, that bread is always eaten at dinner, and that this bread is generally made of wheaten flour and potatoes.

Herr Im-Thurm says,<sup>2</sup> that in the canton of Schaffhausen the breakfast consists of coffee, together with milk and bread or potatoes. In some parts of the canton, a soup made of milk and meal or groats is eaten for breakfast. Dinner is eaten in this and in many of the more mountainous cantons at eleven o'clock ; it consists of soup made of milk, meal, bread, or groats, and also frequently of a meat soup. Beef, ham, and bacon are often eaten by the peasants of this canton.

Between three and four in the afternoon, the men have some bread and wine, the women some coffee, milk, and bread. Tea is very seldom drunk : it is very expensive throughout Switzerland. About seven or eight o'clock in the evening, a soup made of milk and bread or potatoes is eaten ; and at nine o'clock the people go to bed, so as to be ready for the break of day.

"All the people of this canton drink wine at dinner, and often also at supper, and between meals beer is drunk."

Professor Vulliemin, in describing the food of the people in the canton of Vaud, in Switzerland, says :<sup>3</sup>—"Not only is it

<sup>1</sup> Gemälde der Schweiz, Thurgau.

<sup>2</sup> Ibid., Schaffhausen.

<sup>3</sup> Ibid., xix Band. 1 Theil. s. 283



true, that there are few lands where the people live on better food than in the canton of Vaud, but it is also a *fact, that the food of the people is improving year after year.* Coarse black bread, milk, and herbs, no longer constitute the food of the people ; but white wheaten bread, mixed sometimes with potatoes, or with fresh or pickled meat. The breakfast (or, as it is called with us, the dinner) consists of coffee, or of a thick porridge, with cheese and whey, and often with potatoes also. At ten o'clock the peasants eat some cheese, and drink with it sometimes a glass of wine. Soup and greens, with bacon, potatoes, cheese, salad, pickled meat, and pancakes, compose the dinner. On Sundays, however, and on holidays, fresh cooked meat is eaten at dinner.

“ At four o'clock, from Easter to Lent, they take coffee with bread and cheese, and sometimes a spoonful of preserved fruits. The frugal peasant among the vineyards makes his four o'clock meal of bread, cheese, and common red wine. The supper of the peasants consists of soup and cheese. All the peasants drink wine : even the poorest labourer would be discontented if he did not get at least a quart of wine daily. Formerly, the peasants drank wine much less frequently than they do now, but they were accustomed, every eight or fourteen days, to get intoxicated ; now every family keeps its cask of wine or cider for the use of the family.

“ In the towns, fresh cooked meat, soup, bread, and vegetables are the food of the inhabitants, and often even of the poorest.

“ Our militia receive daily, during the time of their service,  $1\frac{1}{2}$  lb. of bread, 8 oz. of meat, and vegetables.”

It has been the habit of English writers to presume that the peasants of Western Europe eat much less meat than our peasants, and that this is one proof of their inferior social condition. The presumption is as untrue as the inference. The peasants of Western Europe do not, it is true, eat meat every day in the week, nor do they eat much meat ; but in most parts of these countries they eat meat once or twice a week at least.

Our middle classes eat so much more animal food daily than the middle classes of France, Germany, and Switzerland, that the fact of the amount of meat consumed annually per head in Great Britain being greater than the amount consumed per head in the countries I have mentioned, is quite possible,

without any necessity for resorting to the hypothesis, that our peasants eat even as much animal food as the peasants of Western Europe.

Even if the peasants of England, Wales, and Ireland did eat animal food oftener than they really do, it would be but a poor compensation for the loss of all the vast advantages enjoyed by the peasants throughout Western Europe, viz., the freedom of action, and the possibility of improving their condition, of acquiring a farm and a house of their own, and of rising, by prudence, self-denial, and exertion, to a higher station in society.

But all the inquiries, which have been made in recent years, and the careful investigations made by the correspondents of the public journals, and particularly by the writers of the admirable letters on "Labour and the Poor," recently published in the "Morning Chronicle," prove that the peasants of England seldom obtain any animal food at all.

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10. *Another of the many and great advantages arising from the cultivated intelligence of the peasants of Germany, Switzerland, and Holland, and from the subdivision of the land among them, is, that all the peasant proprietors of these countries are naturally, from their position, adverse to rash and ill-considered political changes, and to political agitation, and are all rendered strongly Conservative in character, so that the majority of the people, instead of the minority, are interested in the cause of order and public tranquillity.*

It will be said, "But do not the events of 1848 prove the contrary?" I unhesitatingly answer, "No." The government of Louis Philippe fell, not because the country people rose against it, but because the government had so governed, as to alienate the affection of the peasant proprietors to such an extent, that they would not rise in its defence. Louis Philippe's government refused almost every peasant proprietor in France the right of voting at the elections; it refused to repeal several taxes, which pressed with peculiar weight upon them; it had burdened and was burdening them with an ever-

increasing weight of taxation ; it had annually increased, and was still annually increasing, the public debt and the public expenditure ; it had increased the number of placemen to such an extent, that they were much more numerous than the electors ; it had broken important national alliances, and had run the risk of war for the sake of a mere family connection, in which the people felt not the slightest interest ; and it had continually and unnecessarily infringed the inestimable privilege of the free expression of opinion, whether by word of mouth or by the press.

By these means, the government of Louis Philippe had completely estranged the affections of the small landed proprietors throughout France. In the hour of necessity, therefore, although the proprietors did not rise against the government, they would not rise in its defence, and consequently it fell. Even the shopkeepers of Paris refused to fight for it. One remarkable proof of the feeling of the people with regard to M. Guizot's scheme of government, is, that in the first two Assemblies returned after the erection of the Republic, he has been unable to obtain a seat, notwithstanding all the exertions of his friends, and notwithstanding all that the people have suffered from the excitement and excesses, which necessarily attended the great political change.

Since the Revolution, however, the peasant proprietors have uniformly shown themselves the friends of order. In the insurrection of June, 1848, which I witnessed myself, the peasant proprietors flocked to Paris by thousands, and shed their blood in the support of Cavaignac, and for the sake of public tranquillity.

M. Michelet happily and forcibly represented the tranquil and firm attitude of the peasants of France, when he said, that "the whole of the country districts of France, with their millions of peasant proprietors, formed, so to speak, the *Mount Ararat of the Revolution*."

This is the principal cause, why the late Revolution was so different to the one of 1789. *Then* there were scarcely any peasant or small proprietors. There were only lords and oppressed tenants. When the former fled, there remained no Conservative body, either in the towns or rural districts, capable of defending or upholding the governments, which successively endeavoured to check those who were interested in turmoil and bloodshed. *Now*, all the inhabitants of the rural districts,

and of the smaller towns, are allied with the shopkeepers and merchants on the side of order. This renders their ultimate triumph certain, however great the changes through which the state may be obliged to pass.

Throughout all the excitement of the Revolutions of 1848 the peasant proprietors of France, Germany, Holland, and Switzerland, were almost universally found upon the side of order, and opposed to revolutionary excesses. It was only in the provinces, where the land was divided among the nobles, and where the peasants were only serfs, as in the Polish provinces, Bohemia, Austria, and some parts of South Germany, that they showed themselves rebellious. In Prussia they sent deputation after deputation to Frederic William, to assure him of their support; in one province the peasant proprietors elected his brother as their representative; and in others they declared, by petition after petition forwarded to the Chamber, and by the results of the elections, how strongly they were opposed to the anarchical party in Berlin.

The insurrections which broke out in Germany, broke out in the *large towns*, among the *middle classes*, and among those town poor who owned no land, and who were not individually interested in the preservation of public order and tranquillity.

Hecker and Struve could find little or no support among the peasant proprietors of South Germany, though they went about from village to village, bribing and intimidating by turns: their adherents were inhabitants of the towns.

When we consider what enormous political changes were effected in those countries, within the short space of one year, and with how little bloodshed they were effected, when compared to that which our own great Revolution cost us; when we compare the fierce struggle through which England passed in our Great Rebellion, in obtaining even less results than they have obtained; when we reflect, that at the beginning of 1848, the Germans had no free press—could not assemble, even in private houses, to discuss political matters—had no public assemblies which deserved the name of Parliaments—and had no voice or influence in the levying of taxation, in the affairs of the nation, or even in the political regulations which affected their own domestic concerns; when we remember that the acts and speeches of every individual were watched, and noted down by odious systems of espionage, supported by the governments, and that every attempt to rise

against this state of things was crushed in the bud, by enormous armies and bodies of police,—we shall plainly see that some strong conservative influence must have been at work, to have kept the people so long quiet, and to have prevented the transition to universal suffrage, and to all the rights of democratic states which has taken place, from plunging those countries into ungovernable licence and confusion.

But such an influence was and is at work. That influence is the conservative feeling, or rather the fear of civil discord, which the subdivision of land among the peasantry of any country will invariably produce. A revolution, like the French Revolution of 1789, in either Germany, Switzerland, or France, is now impossible.

A great town may now and then rise in insurrection, and may indulge in the excitement of riot and street warfare, but anything like a general bloody revolution is quite impossible.

What, I would ask, has induced the governments of Prussia, Saxony, Bavaria, and, indeed, of all the German countries, as well as those of Switzerland and Sardinia, to grant universal suffrage so willingly to their people? Simply this:—That these governments knew, that the whole of the peasants were strongly conservative, by interest, and disposition; that they were the steadiest of all the supporters of public order and of a firm government; that the people of the towns were the most democratic, and that to grant the suffrage to them, and not to the peasants, would be to put themselves in the hands of the anarchists, and to deprive themselves of the powerful and certain support of the intelligent body of the peasant proprietors.

Urged by these views, these governments have not attempted to limit the number of the electors, by adopting a property qualification, but have admitted the *whole* people to the electoral privileges. They could not have adopted a more conservative policy, for they have, by this means, enabled the peasants to swell the members of the Conservative party in the Chambers, by sending thither representatives of their own feelings and principles.

The peasant proprietors of all the provinces of those countries are all immediately interested in the preservation of public order. Everybody, except the labourers of some of the largest towns, has, or expects soon to have, something to lose by a revolution. None, but those labourers, fancy themselves

interested in public disturbances; and even in the large towns, the riots of 1848 often arose more from the excitement always attendant upon sudden political change, and from the rioting of people long unaccustomed to political liberty, than from any strong or deep-rooted discontent, or long-cherished anarchical feelings.

All the substratum of society, in most of the rural districts of these countries, is conservative. It is the minority only who are interested in political change. The English order of things is inverted. In England it is the peasants and operatives, who fancy they have nothing to lose and much to gain by a revolution of society. It is the majority with us who think they are deeply interested in an upturning of society. It is the majority who hope to gain some share of the vast territorial domains of the nobles, or at least to get some part of those great tracts of land, which they observe lying uncultivated by any one; or who, without having any specific views whatever, say, we cannot lose, for we have nothing to lose, we cannot be poorer than we are, or more wretched than we are; we may possibly gain by a change; but if not, it is clear we cannot lose.

There are vast masses, not only of our town operatives, but also of our country peasants, who, in times of commotion, reason in this manner, and are at the beck of the first demagogue who arouses their slumbering feelings.

Symptoms of this under-current of passion are now and then vouchsafed us, like the warnings of a volcano. Sometimes we have Rebecca riots; sometimes, Chartists' risings; sometimes, actual insurrections, sometimes, wide-spread incendiary fires; and in Ireland, constant rebellion.

The more intelligence spreads among the poor of our country, the more will all this increase, unless we alter the laws which tend to prevent the peasants acquiring property. The classes who are deprived of the natural means of improving their social condition, will rise more and more fiercely against the obstacles which beset them, the more clearly they perceive those obstacles. If it be necessary or expedient that the present landed system should be continued, it would be wiser to get rid of every school in the whole country. To give the people intelligence, and yet to tie their hands, is more dangerous than to give fire to a madman. At present our peasants are deficient in intelligence, and therefore they are quiet.

In Germany, Switzerland, Belgium, Holland, Denmark, Norway, and France, all is different to the picture I have just been attempting to draw. The *peasant proprietors*, and the inhabitants of the smaller provincial towns of those countries, will never be insurrectionary whilst the present subdivision of land continues. Every peasant feels that his social position and well-being depend entirely and solely on his own exertions. He knows that if he does not acquire land of his own, and if he does not better his condition, it is entirely his own fault. He knows that no law impedes him, or diminishes the returns of his labour ; that no class is favoured more than his own ; that he can ask for no social change, unless it be less taxation and improved education. He feels, therefore, that change cannot benefit him socially, and that it might possibly deprive him of some of the advantages he now possesses. He is, therefore, adverse to sudden changes of all kinds. He is naturally, and from motives of self-interest, a supporter of a strong and peaceful government. He is adverse to war, because war costs money, and entails heavy taxation. The *peasants* of France have gradually, during the last thirty years, been becoming more and more pacific, solely owing to the effect of the subdivision of property.

The people of several of the greatest towns of France are still as warlike as ever. In Germany and Switzerland the same fact is observable. The war party, and the revolutionary party, in Germany, are formed of the inhabitants of the great towns. The same may be said of Switzerland. The people of the small provincial towns, and of the rural districts, are eminently pacific and conservative in their tendencies.

I was constantly told in Germany, prior to the outbreaks of 1848, that if political changes were ever effected, they would originate with the people of the larger towns, and not with the *peasantry*. I remember, in particular, a very intelligent man at Elberfeld, in Rhenish Prussia, saying to me, "The *peasants* are so adverse to political commotion, and so interested in public tranquillity, on account of their being the owners of the land, that they will never endeavour to effect any political changes, however much they may dislike the present political thralldom. They feel that they are well and cheaply governed, that they have no *social* advantage to gain by a change, that they have property which might be considerably injured by

public riots, and that they might themselves lose some of that freedom of labour which they now enjoy."

This opinion has been remarkably verified by the conduct of the peasants during the political riots and struggles, which have taken place in the great towns of Germany. Nowhere have the town rioters found much countenance or support given them by the peasants. In the late barricade riots in the manufacturing district and town of Elberfeld, the peasants kept aloof; and when the rioters forsook their barricades, and attempted to make their way in a body across the Rhine Provinces, in order to join the republicans of the towns of South Germany, the peasant proprietors armed, pursued and attacked them, took them prisoners, and delivered them all into the hands of justice. Many such instances might be quoted.

This represents the universal feeling of the German peasants in all those provinces where the land is divided. Everything I heard upon my travels in Europe, and everything which occurred in 1848, confirmed the truth of the opinion expressed by the gentleman of Elberfeld. I travelled with a banker of Berne, just after the invasion of Lucerne by the people of Argovie. He assured me that nothing was to be feared from the Swiss *peasants*. He told me that, only just before, the *peasants* of the canton of Berne had sent a deputation to the Council of State of the canton, to tell them that if the radicals of the city ventured to engage in any insurrection against government, or in any unconstitutional proceeding, they would instantly arm in the defence of public order, and would assist the executive officers with their united strength.

Such also was the opinion of the head professors of the great schools in Vevay, and such, indeed, was the opinion of almost all the gentlemen connected with the cantonal governments, with whom I conversed.

It is true that, in 1847, the peasants joined with the townspeople in the greatest part of Switzerland, in invading the small mountain cantons. But I believe they were not only warranted in taking that course, but that they were *forced* to take it.

By the old constitution of Switzerland, imposed upon them by the allies on the settlement of Europe, it was necessary to have a majority of three-fourths of the cantons in order to effect any change in the constitution. Now it so happened



that all the populous cantons of Switzerland, nearly two-thirds of all the cantons, and more than *nine-tenths* of all the people desired to increase the executive power of the *Diet of Switzerland*, and to make it something more like a parliament. Until 1847 it was *almost entirely powerless*, the government of each canton being carried on almost independently of the other cantons, by means of a separate Council of State. Owing to this, Switzerland, as a nation, was almost incapable of action. It could not combine for any great object. It had no weight in the Councils of Europe. It was even weak in matters of mere defensive policy.

There were five or six of the small mountain cantons, who systematically voted against every national proposal made in the Diet, and who systematically opposed all revision of the Constitutional Chart. It was believed, by the majority of the Swiss, and it seems probable, that these little cantons were in the pay of Austria; and that Austria, by means of her gold, annulled all the votes of the Diet, and, by preventing Switzerland from combining for any object, kept her a weak and submissive neighbour. These obstructive cantons were the most thinly populated of all, but they had just enough votes to enable them to prevent the Diet from effecting any constitutional reform.

The people of all the other cantons, and more populous cantons, were unanimous in desiring these changes. A large party even in the small cantons concurred in the wish, but all their peaceable efforts were unavailing. The vast majority of all the people of Switzerland were compelled to submit to the will of a very few, and those few bribed, as it was and is now generally believed, by the gold of the ancient, traditional, and inveterate enemy of Swiss freedom—Austria.

Under such circumstances the patience of any people would have broken down. That no change was effected in Switzerland during so many years, was solely owing to the conservative feelings of the peasant proprietors, and to the antipathy they felt to political commotions. But at length even these feelings gave way, and the peasants joined the townspeople in remodelling the Constitutional Chart by force of arms.

I have given this hasty sketch of Swiss politics, merely to explain circumstances which have seemed to many to prove that the Swiss are revolutionary in their habits and interests. Such a supposition is utterly unfounded. There is not a more

industrious, frugal, temperate, and conservative peasantry in Europe. The profound tranquillity of Switzerland throughout the revolutionary movements of 1848 and 1849 is a strong proof of this. It should be remembered that every man in Switzerland is a soldier ; that every man has a gun or a rifle of his own hung up on the wall of his cottage sitting-room ; that every man has a vote ; that every one can read and write ; and, more than all, that the police force is very small. If these facts are borne in mind, my readers will comprehend that the perfect tranquillity of Switzerland during 1848 and 1849 was a very remarkable and significant proof of the conservatism of the peasant proprietors, who form the great majority of the people.

With Austria convulsed on the one side, with Italy, France, and Germany revolutionised on the other sides, and with her own territory deluged with political adventurers and refugees, Switzerland existed in the midst of the turmoil as tranquil and as safe as a sea-bird in a storm.

Political tranquillity is established upon a much surer basis in Switzerland than in England. A rising of the peasants in Switzerland will never take place except in defence of their liberties, or in opposition to the enemies of social order and prosperity.

The peasants of Switzerland have nothing to gain, and everything to lose, by political disturbances ; and *they are intelligent enough to understand this truth.*

If the system of landed tenures in Ireland could be altered, and a class of peasant proprietors be created, instead of the present miserable class of tenants-at-will, the Irish farmers and the Irish peasantry would be rendered as strongly disposed to support government, to maintain the public tranquillity, and to preserve intact the union of the two countries, as the present Irish landed proprietors are.

The results which have universally followed the abolition of the laws, which enable proprietors to keep their lands out of the market for a great number of years, which thus tend to create and preserve great estates, and which immensely increase the difficulty and consequent expenses of transferring land from man to man, would again follow, if a similar great change were effected in the sister kingdom.

The farmers and peasants would buy land. The bogs would soon be divided, purchased, drained, and cultivated.

A great class of small yeomanry, like those who in the olden times existed in England, would rapidly spring up. A great conservative class would be thus created.

The houses and social condition of these proprietors would improve in the same ratio as their industry ; and the industry of the Irishman at home would be as great, as it proverbially is on his clearings in the colonies.

Every man who spent £100 in a plot of land would laugh at the demagogues. The peasant proprietors would not ask our assistance to keep them from starvation.

The Irish farmers, who now send over their savings to the English savings-banks, or hide them among the rafters of their barns in Ireland, would soon buy land. Public discontent and rebellion would gradually subside, the more the peasantry and farmers acquired a stake in the country ; foreign capital would then flow into Ireland ; that land which had not been bought up by the inhabitants would be purchased by new comers ; manufactures would spring up ; the splendid havens of the sister island would once more be crowded with the shipping of the world ; and Ireland, so fertile and so admirably situated to carry on an immense trade with America, would soon become one of the most productive and prosperous islands of the sea.

This is no fanciful picture. No country has yet changed tenants-at-will for small proprietors, without being vastly benefited, and benefited, too, as I say Ireland would be.

Many countries have now tried the experiment, and in all it has signally succeeded. Before the division of land in France among the peasants, they were, according to the accounts of Arthur Young and many contemporary writers, in as bad a condition as that of the Irish at the present day. The same may be said of the peasantry of many parts of Germany, before the great statesmen of Prussia, Stein and Hardenberg, persuaded the late king of Prussia to annul all the laws which enabled the old proprietors to prevent their successors from selling any portion of their lands. Since those great men effected that change, the peasants of Prussia have risen from a condition analogous to that of the Irish at the present day, to the prosperous and happy one which I have endeavoured to describe. A similar result has followed a similar change in Saxony, Baden, Bavaria, Styria, the Tyrol, Switzerland, Holland, Belgium, Denmark, Norway, and France ; and it is but reasonable to conclude, that if a change were made in the

landed tenures in Ireland, similar to that brought about in Prussia by Stein and Hardenberg, an equally happy result would follow; and I am convinced that it can be effected by no other means.

The more intelligence advances among the peasants of Germany and France, the more clearly will they perceive that they can gain nothing, and that they might lose much, by civil commotions, and therefore the more conservative will they become in their ideas and in their habits; but the more intelligence advances in our country, the more plainly will the peasants see the misery of their situation,—the more clearly will they understand the difference between their own state and the state of the peasants abroad,—the better will they understand the working of the laws affecting the landed property in this country,—the more plainly will they perceive, that the effect of those laws is to take away from them any *chance* of improving their social condition, unless they leave their native parishes and homes,—and the more strongly will they be inclined to combine for the violent alteration of the system of the tenures of land.

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12. *Another most useful and important effect of the freedom of landed property from the old feudal restrictions is, that it enables the small shopkeepers to purchase land, and renders them more conservative in their political ideas.*

The more a man lives immured in a town, and shut out from the pleasures of the country, the more strongly do his thoughts revert to the healthy pursuits of a rural life, and the more strongly is he inclined to look for a means of escaping, towards the close of his life, from the din, the smoke, the exhausted atmosphere, and the crowded life of the town, and for a means of exchanging all this for the health and tranquillity of a rural retreat.

Under our present system of landed tenures it is seldom possible for a small tradesman to buy a small estate, even if he has saved money enough to enable him to do so. He may often take the lease of a house, or of a house and garden; but he is seldom able to get possession of a small farm even on lease; for small farms are becoming, in most parts of

England, less and less numerous every day. And even if he could get a small farm on lease, that does not offer nearly the same temptation to him as the possibility of buying a farm would do. He knows that small farms are rare; that their rentals are very often—I might say generally—fancy rentals; that the leases are generally crowded with restrictive clauses, which destroy all the charm of ownership, and which fetter the operations of the active and enterprising improver; and that, by taking the lease of such a farm, he would only run the risk of being drawn into liabilities, and being fettered by restrictions which would soon make him a loser, and diminish, instead of increasing, the capital he had saved in business. Whether these fears and doubts be true or not, they certainly exist, and operate as I have said; and I think that this operation is prejudicial to the best interests of the country.

The small shopkeeper feels that he is excluded from the possibility of obtaining that which his town life would naturally lead him to long for. He is deprived of a great inducement to saving, economy, and temperance.

He feels that if he defers marriage, and denies himself present gratification, he can gain nothing more by self-denial than an enlargement of his shop and business; and although this is an inducement to prudential habits, it is not nearly so strong an inducement as the hope of one day becoming an owner of a small estate, and an inhabitant of a rural parish. He finds himself prevented from acquiring that which is the day-dream of townspeople, and obliged to remain all his life in a situation, in which the majority would not remain, if they could escape. It is, therefore, no wonder that such a man should be much more radically inclined, should marry much earlier in life, and should burden himself with a much larger family than if he had some strong inducement to support the existing institutions, to practise self-denial and economy in his younger days, and to put up for a time with the less pleasurable occupations of his town life, in the hope and expectation of being able to change them at a future time for a long-coveted pleasure.

The small shopkeeper, who feels that he can invest his savings in the purchase of a farm, does not marry so soon as, and is more economical, more self-denying, more industrious, and much more conservative in general than the one who feels that he is prevented by the laws from all hope of ever purchasing a farm.

So beneficial do I believe the system of small properties to be in its effects upon the characters, habits, and feelings of the small shopkeepers, that if I did not advocate such a system for the sake of the peasants, I should do so for the sake of the shopkeepers.

In a country like our own, where the accumulation of enormous masses of uneducated workmen is going on with such a rapidity, it is doubly important for us to consider how we may render our small shopkeeper class as conservative as possible, in order thereby to create a counterpoise for the influence of the increasing multitudes of the labourers of our great cities. It is impossible to attain this end more surely or more quickly than by encouraging the subdivision of the land, and by teaching the small shopkeepers to feel that they may become proprietors, if they will only save capital enough for the purchase of a farm. On this ground I repeat what I have said before, that if it were thought inexpedient to encourage the general subdivision of land, yet it would seem to be highly expedient to introduce, at least into the crowded manufacturing districts, some such system, in order thereby to create among the shopkeepers, and among those who would become owners of gardens or of farms, a strong conservative class, capable of counterbalancing the immensely powerful democratic class, which is now nursing in those districts, and which is increasing there every day in strength and numbers.

13. *The division of landed property reduces that intense competition for wealth, which distinguishes English life.—The intense competition of the different classes in England reacts very unfavourably upon the poor.—The results of the great property system in Ireland.—The present condition of Ireland.—The causes of that condition.—The remedy for Irish misery.*

One curious effect of the existence in a country of a great privileged class, like that of our landed proprietors, is to increase enormously the emulation and striving of the mercantile and professional classes below them.

The luxury in which the great estates enable the great proprietors to live, and the splendid entertainments and *fêtes*,

which their wealth enables them to give, stimulate a rivalry which is felt more or less through every grade of the *middle* classes. If Lord A—— or Squire B—— gives dinners in a grand room hung with paintings, and covers his table with costly wines and viands brought from all corners of the world, Mr. C——, a merchant living near, will not be content with a condition of life and fortune which does not enable him in some degree to emulate the display of his wealthy and influential neighbour. He will, consequently, strive to make his equipage as handsome, to dress his wife as well, to cover his table in as sumptuous a manner, and to hang his walls with as valuable paintings; and in order to do all this, he will strive to make himself as wealthy as the rich proprietor who lives near him, and who invites him to his luxurious dwelling. Not, perhaps, that he imagines that all this luxury really increases happiness, but because a plain equipage, a plain house, and a plain dinner would prove him to be so much poorer, and therefore so much less influential in society, and therefore so much less respectable in the eyes of his dependants than his wealthy and influential neighbour the landed proprietor. The luxury of the rich merchant influences the shopkeeper in the same manner as the luxury of the landed proprietor influences the merchant.

Each class, down to the shopkeepers, emulates the richer class, so that the greater the wealth and luxury of the wealthiest class, the greater will be the competition of the middle classes. *This emulation cannot reach the lower classes, partly because of their inferior intelligence, and partly because of the utter impossibility of the peasants of England ever rising in the world, by any exertion or present self-denial, however great.*

Among the middle classes, however, each class in England struggles hard to emulate those above it. The intensity of exertion necessary to ensure any sort of success is very great; but the hope of success induces many to spend the greatest part, and some to spend the whole, of their lives in endeavouring to effect this end.

In no country in the world is so much time spent in the mere acquisition of wealth, and so little time in the enjoyment of life and of all the means of happiness which God has given to man, as in England.

In no country in the world do the middle classes labour so intensely as here. One would think, to view the present state

of English society, that man was created for no other purpose than to collect wealth, and that he was forbidden to gratify the beautiful tastes with which he has been gifted for the sake of his own happiness. To be rich, with us, is the great virtue, the pass into all society, the excuse for many frailties, and the mask for numerous deformities.

People in England do not ask themselves, how great a variety of pleasure they can obtain by their present incomes ; but how good an appearance they can keep up with it, how nearly they can imitate the manners and habits of the great above them, and how soon they can hope to imitate those manners and habits still more closely.

I have been making these remarks, in order the better to describe the difference of German and Swiss society. In these countries there is no *class*, and but few individuals who are as wealthy as the class of our landed aristocracy. Their richest class is not nearly so wealthy as the wealthiest class of our manufacturers. The reason of this is, that the whole of the fortune accumulated by a man in his lifetime seldom goes on increasing in the hands of his children, and seldom indeed remains undivided in the hands of a successor. It is generally divided at his death among several persons, so that a great fortune or estate does not remain any length of time entire. But a fortune like that of one of our nobles can very rarely be built up by one person. To amass such a fortune generally requires the exertions of several generations, to each of whom the former collector has left his gains undivided and indivisible. Where, therefore, the law does not assist the collector to keep his property together after his own death, very few such immense fortunes can ever be amassed.

As the law does not in foreign countries allow such facilities for keeping accumulated what has been once collected together, the class of really wealthy men there is consequently very much smaller and very much poorer than in England, and the general style of living is much less costly and luxurious. A man may live respectable and happily, in countries where the law does not keep up a great model class, for one-fourth of the income which is necessary in England.

The French, the Dutch, the Germans, and the Swiss, look with wonder at the enormous fortunes, and at the enormous mass of pauperism which accumulate in England side by side. They have little of either extreme. The petty sovereigns and



a few nobles and merchants are wealthy ; but they form too small a minority to exercise anything like so powerful an influence upon the society of those countries, as the numerous body of the English landlords do upon English society.

The consequence is, that the middle classes of those countries are not generally brought into contact with a class very much richer than themselves, and are not therefore so strongly urged into excessive expenditure by a desire to emulate a wealthy class, as is the case in England.

All classes in Germany, Switzerland, France, and Holland, are therefore satisfied with less income than the corresponding classes in England. They, therefore, devote less time to labour, and more time to healthy and improving recreation. The style of living among the mercantile classes of these countries is much simpler than in England, but their enjoyment of life is much greater. They live not so much as we do to die rich, but to live happy. They do not strive after appearances nearly so much as we do. They do not spend so much upon their tables, their equipages, their dress, or the ornaments of their houses, but they spend more time in the enjoyment of life. They go out oftener into the country, they frequent musical concerts much oftener, they attend the public assemblies much oftener, they associate with one another much more, they keep up more of the olden pastimes and exercises, and they work during fewer hours of the year than we do.

The strain of life and the competition for gain are not nearly so intense with them as with us.

A German or Swiss merchant, or a German or Swiss shopkeeper, trades until he has made enough wherewith to purchase a small estate ; and he then often retires from business to enjoy the remainder of his days in the country upon his own land, and in his own house, and to bring up his family amid the improving influences of a rural life.

The hope of obtaining a small estate of his own forms a very strong inducement to exertion and economy, and is a much more agreeable and enticing prospect, than the hope of merely leasing a country house at some future day ever offers to a shopkeeper in our own country.

A man whose wealth alone would not entitle him to a third-rate place in English society, might, as far as his wealth is concerned, move in the highest ranks of German society. People who feel that the richest class of a country are not far

removed above them, care less to devote their whole lives to destroy the remaining disparity, than those whom a long and almost insurmountable distance separates from the wealth and influence of the richer class.

This intense competition of our merchants and manufacturers, and of the middle classes of our country, to emulate the wealth of the superior class, who are upheld by the laws in the continued enjoyment of undiminished and accumulating riches, reacts upon the poor in a very injurious manner. The stronger the desire of the middle classes to amass wealth and to live luxuriously, the more will they endeavour to deduct from the wages which they are obliged to pay out to those below them; the more will they deal hardly with the poor; and the more difficult will it be for the poor to earn their subsistence.

In a country, too, where, as in England, the social arrangements are such as to deprive one class of the poor, viz., the peasants, of any means of improving their condition in life, excepting by leaving their homes, this competition among the middle classes of society will press and does press upon the labourers with peculiar hardship. The man, who fancies he is obliged to keep up a certain style, in order not to be much less respectable in appearances than his wealthier neighbour, will necessarily be obliged to reduce his payments to those around him as much as possible. His servants and labourers cannot expect to receive from him more than the lowest hire at which, by hard bargaining, he can procure their services. And even if the rate of money-wages in a country is high, yet a middle class so circumstanced will get more work out of their labourers in comparison with the wages given them, than any middle class not similarly circumstanced can do. Thus, in our manufacturing districts, although the rate of wages has been always on the average high, yet the labours of the operatives, as well as of the masters themselves, have been intense in the extreme.

The objects which strike foreigners with the greatest astonishment, on visiting our country, and of which they see nothing at all similar in their own countries, are,—

1. The enormous wealth of the highest classes of English society.
2. The intense and continued labour and toil of the middle and lowest classes. And,
3. The frightful amount of absolute pauperism among the lowest classes.

The first of these singularities of English society produces the second, and contributes greatly to the production of the third, whilst it is itself occasioned almost entirely by the effect of the old feudal laws, which restrain the subdivision and circulation of the great properties, after they have once been accumulated.

This system is admirably well adapted for heaping up enormous masses of wealth in a state. I believe that no such masses as now exist in England, in the hands of some of the higher classes, could be heaped up under any other system than that now pursued ; but it should be remembered how, side by side with these heaps, pauperism goes on increasing.

Could we regard the poor as only the machines, by which we were to create our wealth, even then I should doubt whether we should be economically prudent to be so careless as we now are about the condition of the machines ; but when we regard them as immortal beings of the same origin, and created for the same destiny as the richer and more intelligent classes of society, then such a system as the one we now maintain, appears to be, not only open to economical objections, but reprehensible and obnoxious on higher and more serious grounds.

Look at Ireland, where this system of great estates, and great ignorance, has been so long in force ; what is the result in that unhappy country ?

The whole of the land is in the hands of a small body of proprietors. The estates of these proprietors are so affected by the real property laws, that very few of them are able to sell any part of their lands.

The richer proprietors live in England, and upon the Continent, and spend all the produce of their estates,—except the small quantity which is paid to the cultivators of the land,—among foreign people. The trade of the provincial towns of Ireland is consequently nearly extinguished. All the people whom that trade would employ, and all the people who would be employed as servants, grooms, gardeners, and ministers to the wants of a resident class of landed gentry, and who would be fed and clothed with what feeds and clothes similar classes in foreign lands, find no employment in such channels, and are obliged to compete for work with the already poorly-remunerated agricultural labourers. There are consequently more labourers than there is labour or food for them. English

grooms, English tailors, English shopkeepers, English servants, English workmen of all kinds are ministering in an English town to the wants of the Irish landlords, and are dividing among them the produce of the Irish estates,—which produce ought to be divided among the Irish labourers and Irish shopkeepers.

Of the poorer classes of Irish landlords, who live in Ireland, most have received their estates from their ancestors heavily burdened with mortgages and incumbrances, whilst others have burdened their estates themselves by their own too lavish expenditure.

Nearly all are in such a condition that they have no ready capital wherewith to cultivate their lands, or to make any improvements; nearly all have quantities of waste lands upon their hands, which they cannot cultivate themselves, and which they cannot sell to the farmers to cultivate, because of the way in which former proprietors have been allowed, by our feudal laws of real property, to arrange the property, and to divide the whole estate in the land among several successors and incumbrancers.

Most of these landlords have had their hands tied so long, that they have grown, under the long continuance of this system, incapable of taking any step towards improvement, even if the law did not prevent them.

The farmers and the peasants, feeling that they cannot get leases, that they cannot buy land, or obtain any security for investment in land, owing to the expense of conveyancing, to the intricate titles of most of the estates, and to the inability of the landlords to sell, have lost all interest in the improvement of the land, all hope of ever improving their own condition, all respect or sympathy with the government, which supports this system, and are one united mass of increasing, though smouldering, disaffection. They long for Repeal; many even of the squires, the greater mass of the shopkeepers, and nearly all the farmers of the south of Ireland, are unanimous with the peasants in wishing for Repeal. They feel that they cannot be worse off than they are at present. They see no sign in the English horizon of a change. They would all sooner try an Irish tempest than stagnate and suffer as at present.

If it had not been that our manufactures and our commerce have afforded an outlet for the peasants of our villages, and

have continually diminished the strain upon the labour markets of the rural districts, the condition of the English peasants at the present day would have been just as bad as the present state of the Irish peasantry. But in England the peasant can always find an opening in our commercial towns, and in our manufacturing districts. There is a constant emigration going on in England from the villages to the towns; and the competition for labour in the villages is therefore always far less than in Ireland, where it is so much more difficult than in England, for a peasant to emigrate to a place where labour is wanted. The towns in Ireland are too poor, and in too lifeless and stationary a condition, to afford many openings; while England is a long way off, and her towns are already too full of the surplus of her own rural districts to take off all the surplus hands of Ireland. Besides, the Irish are so demoralised, and are increasing, owing to their utter demoralisation, at so rapid a rate, that it would be impossible to take off the surplus hands, unless we could retard the present rapid increase of the population.

Let us endeavour to describe the present state of Ireland in as few words as possible.

Ireland itself is splendidly situated, in a commercial point of view, commanding the direct route between Northern Europe and America, with some of the finest harbours in the world. Its soil is proverbially rich and fruitful, and has won for it throughout the world the appellation of the "Emerald Isle." Its rivers are numerous, large, and well adapted for internal commerce. Its people are, physically and intellectually considered, one of the most active and restless in the world.

In every colony of our empire, and among the motley multitudes of the United States, the Irish are distinguished by their energy, their industry, and their success. They make as good soldiers, colonists, and railway constructors as any other people. *They are industrious and successful everywhere but in Ireland.*<sup>1</sup>

<sup>1</sup> The "Edinburgh Review" of Jan. 1850 bears testimony to this undeniable fact, and says; "The capacity of the Irishman to make a successful emigrant has been by some denied. On this subject, however, the direct testimony we possess is stronger than either theory or prejudice. We need only refer our readers to that so conclusively given, and with such remarkable unanimity, by witnesses from all our colonies, examined by the recent Colonisation Committee. The efficiency and success of the Irish emigrant in Canada is attested by Mr. Pemberton and Mr.

Nearly one-third of this rich island is wholly uncultivated, and is nothing more than bogs, moors, and waste lands; the cultivation of the remaining part is generally of the most miserable kind. Most of the great proprietors have no spare capital to invest in the improvement of their estates, or in bringing any of their waste lands into cultivation. Few, of even those who have capital, are energetic or intelligent enough to expend it in so rational a manner. Many, if not most, of the resident landlords, in the south and west of Ireland, are a jovial, careless, hunting set of squires, who think and care ten times more about their sports than about their lands or tenants; while the farmers, and under-lessees of the farmers, will not invest capital in the cultivation of their lands, or in reclaiming the bogs, because they have no leases, and no security for the outlay, and because they do not feel sufficient interest in the land of another to induce them to expend their own savings in improving it; but instead of doing so, have often, as is well known, placed their spare capital, from the want of a better investment, in the banks of Ireland or of England. Many of the squires would willingly sell part of their lands, in order to get capital to improve the other part, while nearly all the larger farmers have spare capital, and would willingly and gladly purchase land and improve it, but both parties are prevented by the present laws relating to land.

Nor is civilisation in Ireland merely stationary. It is actually going backwards. In the last few years hundreds of thousands of acres have actually been thrown out of cultivation, owing, on the part of the landlords, to inability to sell, and to want

Brydone; in New Brunswick, by Mr. Perley; in Nova Scotia, by Mr. Uniacke; in the United States, by Mr. Mintern; in Australia and Van Diemen's Land, by Colonel Mitchell, Colonel Macarthur, Mr. Verner, Mr. Cunningham, Mr. Pesnard, Mr. Justice Therry, and the Rev. C. D. Lang. A yet more recent witness is Count Strzelecki, who observes, in his evidence given before the Committee of the House of Lords on the Irish Poor Law,—‘The Irishman improves in two or three years by emigrating to Australia: he acquires habits of industry; he learns to rely upon himself more than he does in Ireland; he has an openness in his character, and shows all that he can do, while here he does not show it. . . . I saw Irishmen in the United States, in Canada, and in Australia, living as well as Anglo-Saxons, acquiring their grumbling habits, and thus improving continually their condition. . . . This difference may perhaps be more successfully traced to the consequences of the transplantation from a narrow and confined moral and physical sphere of action, to a larger space with more freedom and more cheerful prospects of life, and of which they have none at home.’”

of capital and activity; and, on the part of the farmers, to want of security, and to being prevented purchasing any part of the strictly entailed estates.

Sir Robert Peel, in his great speech in 1849, on Ireland, stated that in one barony, in the county of Cork, extending over 80,000 acres, *all* the lands were thrown waste; and that in another locality, the union of Clifden, the rental of which is £19,000, there were lands of the annual value of £9000 thrown out of cultivation.

Many of the great landlords know little or nothing of the state of the peasantry or farming on their estates; they receive as much of their rentals as possible, in England or abroad, and leave their agents to enrich themselves too often at the expense of the poor tenantry.

The condition of the peasantry is something which none, but those who have actually witnessed it for themselves, can possibly realise. At the mercy of sub-agents of agents of the landlords—with no interest in the soil—liable to be evicted from their holdings by the agents—totally uneducated, for the most part—they live more wretchedly than any other people upon the face of the earth.

Everywhere, even in the most prosperous of the eastern counties of Ireland, a traveller, as he passes along the roads, will see, on the roadsides and in the fields, places which look like mounds of earth and sods, with a higher heap of sods upon the top, out of which smoke is curling upwards; and with two holes in the side of the heap, next the road, one of which is used as the door, and the other as the window, of the hovel which exists beneath this seeming mound of earth. These are the cottages of the peasantry! Inside, there is scarcely ever more than one room, formed by the four exterior mud walls; and in these places, upon the mud floor, the families of the peasants live, often without a single piece of furniture, excepting a kettle, in which they boil potatoes, a plate or two, a wooden bench, and a heap of straw in the corner of the hovel. In this hole, human beings—men, women, boys, and girls—all live and sleep together, and herd with the pigs they fatten. Gaunt ragged figures, whose clothes hardly hang about them so as to hide their nudity, crawl out of these sties, and plant the ground around their cabins with potatoes, which generally constitute the only food of the inmates throughout the year, or infest, as beggars,

the thoroughfares, or swell the rebellious gatherings of the peasantry.

Let Sir Robert Peel describe this state of things. He is not generally given to exaggeration. Speaking of the testimony of the Irish Commission, Sir Robert says,—“They said, ‘they regretted to be obliged to add, that though agricultural improvements were rapidly advancing, yet in most parts of Ireland there was not a corresponding advance in the condition of agricultural labourers; that they continued to suffer the greatest privations; that they were badly housed, badly fed, badly clothed, and badly paid.’ In the second volume of a useful digest of the evidence on the occupation of land, reference is made to a very curious document, attached to the census made in 1841. Those who prepared that census divided the houses of Ireland into four different classes, and the result showed that the lowest of the four classes was composed of mud cabins, with one room only. They then ascertained what proportion of the inhabited houses of Ireland consisted of that fourth class. Observe, this report was made at a period which could have reference to no date posterior to the year 1844; and it states, that ‘it may be assumed that the fourth class of houses are generally unfit for human habitation; and yet it would appear that, in the best circumstanced county in this respect, the county of Down,  $24\frac{7}{10}$  per cent., or one-fourth of the population, live in houses of this class: while in Kerry the proportion is  $66\frac{7}{10}$  per cent., or about two-thirds of the whole; and taking the average of the whole population of Ireland, as given by the census commissioner, we find that in the rural districts about 43 per cent. of the families, and in the civic districts, about 36 per cent., inhabit houses of the fourth class.’

“But I should wish particularly to take the proportion of that part of Ireland, to which I more particularly refer, that part in which those distressed unions are now depending upon a few for the support of a great number of the inhabitants. I should wish to take the proportion there. In Donegal the number of the fourth class is 47 per cent.; in Leitrim, 47 per cent.; in Roscommon, 47 per cent.; in Sligo, 50 per cent.; in Galway, 52 per cent.; in Limerick, 55 per cent.; in Cork, 56 per cent.; in Clare, 56 per cent.; in Mayo, 62 per cent.; in Kerry, 66 per cent. THE LOWEST, OR FOURTH CLASS, REMEMBER, COMPRISES ALL MUD CABINS, HAVING BUT



ONE ROOM. In the three last counties, Clare, Mayo, and Kerry, the proportion of every one hundred families, who occupy houses built of mud, and having only a single room, is, 56 per cent. in Clare, 62 per cent. in Mayo, and 66 in Kerry. Now that was the state of affairs before Ireland was visited by that great calamity, the first appearance of which was in the autumn of 1845."

But horrible and shameful as this state of things is, it is by no means the full extent of the evil. Not only are the majority of the Irish condemned to exist in such hovels as Sir Robert Peel describes, but even their tenure of these disgusting cabins is insecure. If they do not pay their rent for them at the proper time, they are liable to be turned adrift, even in the middle of the night, into the bleak road, without a shelter, and with their helpless wives and children. No notice is necessary; no notice is given. The miserable tenants are subject to the tender mercies of a bailiff, without any remedy or appeal except to Heaven.

More than 50,000 such evictions took place in 1849. More than 50,000 families were, in that year, turned out from their wretched dwellings, without pity and without a refuge!

Is it a wonder that fathers, and husbands, and brothers should often be driven to madness, desperation, and revenge?

A very able man, who travelled through Ireland in the autumn of 1849, says:—"In passing through some half dozen counties, Cork (especially in the western portions of it), Limerick, Clare, Galway, and Mayo, you see thousands of ruined cottages and dwellings of the labourers, the peasants, and the small holders of Ireland. You see from the roadside twenty houses at once with not a roof upon them. I came to a village not far from Castlebar, where the system of eviction had been carried out only a few days before. Five women came about us as the car stopped, and on making inquiry, they told us their sorrowful story. They were not badly clad; they were cleanly in appearance; they were intelligent; they used no violent language, but in the most moderate terms told us that on the Monday week previously those five houses had been levelled. They told us how many children there were in their families: I recollect one had eight, another had six; that the husbands of three of them were in this country for the harvest; that they had written to their husbands to tell them of the desolation of their homes. And I asked them,

‘What did the husbands say in reply?’ They said ‘they had not been able to eat any breakfast!’ It is but a simple observation, but it marks the sickness and the sorrow which came over the hearts of those men who here were toiling for their three or four pounds, denying themselves almost rest at night, that they might make a good reaping at the harvest, and go back that they might enjoy it in the home which they had left. All this is but a faint outline of what has taken place in that unhappy country. Thousands of individuals have died within the last two or three years, in consequence of the evictions which have taken place; evictions, too, which are altogether unnecessary for the salvation of the proprietor, and which are as likely to produce ruin to his property as any other course which he or his forefathers have heretofore taken with respect to it. But there have been recent outrages committed in Ireland. A respectable gentleman was shot in open day, on the Sunday morning at eleven o’clock, whilst on his way to church—shot, too, while two men were within two or three yards of him; one, in fact, with his shoulder against his saddle. And the man who fired was seen going through the garden and escaping; while two men were walking rapidly over a bog, supposed to be the assassins making their escape. Why were not these men apprehended? Because of the rottenness that there is in the state of society in these districts; because of the sympathy which there is on the part of the great bulk of the population with those who, by these dreadful acts of vengeance, are supposed to be the conservators of the rights of the tenant, and supposed to give him that protection which imperial legislation has denied. The first thing that ever called my attention to the condition of Ireland was the reading an account of one of these outrages. I thought of it for a moment, but the truth struck me at once; and all I have seen since confirms it. When law refuses its duty—when government denies the right of a people—when competition is so fierce for the little land which the monopolists grant to cultivation in Ireland—when, in fact, for a bare potato, millions are scrambling, these people are driven back from law and from the usages of civilisation to that which is termed the law of nature, and if not of the strongest, the law of the vindictive; and in this case the people of Ireland believe, to my certain knowledge, that it is only by these acts of vengeance, periodically committed, that they can hold in suspense

the arm of the proprietor and the agent, who, in too many cases, if he dared, would exterminate them. At this moment there is a state of war in Ireland. Don't let us disguise it from ourselves ; there is a war between landlord and tenant ; a war as fierce, as relentless, as though it were carried on by force of arms. There is a suspicion between landlord and tenant which is not known between any class of people in this country : and there is a hatred, too, which I believe, under the present and past system, has been pursued in Ireland, which can never be healed or eradicated. Of course, under a state of things like this, industry is destroyed, the rights of property are destroyed, and at this moment landlords in Ireland of the most excellent character, and of the most just intentions, cannot make those dispositions of their property which are necessary even for the advantages of the tenants themselves in some cases, because of the system of terror which prevails through many of the counties." <sup>1</sup>

Such is the frightful, the appalling, result of our long government of Ireland ; and we wonder that the Irish should rebel against such a system of misgovernment ! Hitherto we have done nothing to effect a change.

A statute was passed in the past year (1849) to enable proprietors of estates in Ireland, which are burdened with mortgages and certain other charges mentioned in the Act, to sell the estates and to confer a good and indisputable title upon the purchasers.

This statute is a very good one so far as it will affect the state of landed property in Ireland, but its effect will be a *very* limited one. It leaves the powers of entailing and settling lands untouched ; it does not create any system of registration of titles ; it does not attempt to simplify the conveyance of land, except in a few cases ; and it will not, therefore, enable the shopkeepers, or the farmers, or the peasants of Ireland to purchase land. It will not create a class of yeomanry farmers, or a class of peasant proprietors. It will not tend to render the lower classes of Ireland either more prosperous or more conservative in their tendencies. The only effect it can have will be, to change the proprietors of some of the more heavily

<sup>1</sup> See Mr. Bright's late remarkable speech on the state of Ireland.

burdened Irish estates. This will be certainly an advantage, so far as it goes, inasmuch as it will transfer some of the land from careless, poor, and ignorant men, to persons having capital and intelligence to improve it. But this is but a drop in the ocean, as compared to what Ireland requires. Ireland requires a class of yeomanry, who would be naturally interested in the preservation of order, in the improvement of the cultivation of the soil, and in reclaiming the millions of acres of rich land, which now lie waste and uncultivated. Ireland requires a law which would enable the peasants, by industry, prudence, and economy, to acquire land ; which would thus interest the peasantry in the support of the government and in the preservation of social tranquillity ; which would dissipate that hopelessness and despair which now drives the fine peasantry of that noble island into disaffection and rebellion ; which would make the Irish peasant as active and as successful in Ireland, as he is throughout our colonies and the United States ; which would induce him to settle on the waste lands at home, in order to cultivate them, instead of escaping to distant wilds to effect there what is so much wanted at home ; and which would offer him the same inducements to exert himself, and to practise sobriety, economy, self-denial, and industry, as present themselves to him as soon as he lands in North America. And we want a law which would bring capital to the land and land to the capitalist.

This can only be effected in the same way as the same result was effected in Prussia and throughout Germany and Switzerland, viz., by freeing the land of Ireland from the action of the entail laws ; by forbidding all settlements, entails, and devises, which would withdraw land from the market beyond the life of the person making such settlement, entail, or devise, or which would prevent any proprietor of land having a life-interest therein from selling the land ; and by creating a system of registration of all conveyances, deeds, leases, mortgages, and writings affecting any piece of land, which would render the investigation of the titles of estates perfectly simple, and which, combined with the diminished power of entailing, settling, or otherwise affecting land, would render the transfer of land as cheap and secure as the sale of a piece of furniture, cloth, or other article.

This would soon lead to the following results :—

1. Proprietors of heavily mortgaged estates would sell at least part of their lands.

2. Careless and extravagant owners would sell part of their estates to supply means for the gratification of their tastes, or for the payment of their debts.

3. Many landowners, who prefer to live in England, would sell their estates.

4. All landowners, who possess waste lands capable of cultivation, would sell at least part of their waste lands.

5. Merchants, farmers, and peasants would purchase farms or gardens ; and in this way, land would get into the hands of persons, willing and able to spend capital or labour upon its improvement, and a large class of small proprietors would immediately spring up throughout every county, all interested in social order, in the improvement of the land, and in the prosperity of the country ; and in this way, the face of Ireland, and the character of the Irish, would, in the course of a few years, be entirely changed.

Until we can find an Irish Stein or an Irish Hardenberg, who will grant the Irish people free trade in land, by *preventing* its being tied up by settlements, and who will interest the peasants and farmers of Ireland in preserving the public tranquillity and in improving the agriculture of the country, by enabling them to purchase land, we shall have done *nothing*, positively *nothing*, for Ireland.

The expenses of procedure under this new statute will be so great, owing to the intricacy of the titles of the Irish estates (an intricacy which can never be diminished, so long as the law confers such extraordinary powers of disposition on landed proprietors), and the cases, in which relief is granted by the Act are, comparatively speaking, so very few, that the effect of the statute will never be felt by those classes who most stand in need of relief, viz., the farmers, the shopkeepers, and the peasants of Ireland.

Now there are three facts, of which there can be no doubt : the *first* is, that the peasants of France and Germany were, fifty years ago, subjected to a social system precisely similar to that now in force in Ireland ; the *second* is, that at that time, the condition of the peasants of France and Germany was, according to the testimony of Arthur Young, and many other eyewitnesses, at least as bad as the condition of the Irish people in the present day ; and the *third* fact is, that since the old system of great

estates and great ignorance has been changed, and since the system which I have described has been put into force, the condition of the peasants of these countries has changed most undeniably, and, according to the unanimous testimony of all writers, immensely for the better.

There can be no doubt that in Germany, Tyrol, Switzerland, Denmark, Belgium, and Holland, where a system diametrically contrary to our own has been now for forty years maintained ; where all the peasants and labourers are well educated ; where good schools and thoroughly efficient and well-trained teachers are to be found in every village and town ; where no laws prevent the natural subdivision and sale of land, or promote its unnatural and extremely unhealthy accumulation in a few hands ; and where every peasant and small shopkeeper knows, that if he is prudent and economical, he may purchase a farm ; I say, there can be no doubt that in these countries the peasants are less pauperised, more intelligent, more hopeful, prudent, prosperous, and happy, more conservative, and more virtuous than they are in our own country.

I have always felt convinced, and I repeat my conviction here again, that if we wish to make an Irish labourer as prosperous, prudent, independent, conservative, and virtuous, as a German, Swiss, or Dutch peasant-proprietor is, we must legislate for the one, as the German, Swiss, and Dutch governments have long since legislated for the other. We must deprive every Irish proprietor henceforward of the power of preventing the sale of the fee-simple of his estates at any time after his death ; we must introduce a good system of registration into that country, and render every future conveyance, which is not registered immediately after the making, entirely ineffectual and worthless ; we must facilitate the sale of estates, which are now kept out of the market by old mortgages, settlements, and wills ; we must greatly increase the efficiency of the Irish system of national education, by building good colleges for the education of the teachers, and by facilitating the erection of schools and the support of teachers in poor districts unable to raise local funds ; and until these measures have begun to take effect, we must maintain public tranquillity and order by the continued presence of a strong military force.

By these means we should enable and induce the farmers, and many of the peasants, to buy land ; we should thus create a class of conservative yeomanry, interested in the preservation

of public peace and public order ; we should soon bring all the bogs and moors into cultivation ; we should stimulate the people to labour, in order to make themselves proprietors ; we should induce habits of prudence, self-denial, and industry ; we should improve the system of farming ; we should make capital flow into Ireland, and we should clothe it with a new and with a progressive civilisation.

Before closing this chapter, I shall show, as briefly as possible,—

14. *What several of the greatest writers of France think of the results of the subdivision of land in that country.*

In France a system exactly opposite to our own is in force. The law endeavours to force the subdivision of the land. It gives every child of a deceased parent a *right* to a certain share of all the land of which the father dies possessed, and that, too, even if the father wishes to devise it in a different manner.

An owner of land in France may sell it as he pleases, or give it to whomsoever he chooses, or do what he likes with it, *during his own life*, but he cannot devise it as he pleases. On his death the law gives each child a right to a certain portion of the property of which his father dies possessed, whether the father has made a will or not.

While in England the law gives the proprietors of land such extraordinary powers of restraining the sale of their estates, long after their own deaths, as to cause the accumulation of great estates in few hands, and to prevent the shopkeepers and peasants buying land excepting in a few instances ; in France, on the other hand, the law forces, *as far as it can*, the subdivision of the estates.

Each of these extremes is objectionable in an economical point of view, although I believe the English system to be the most injurious of the two, in its effects upon the majority of the people.

The great problem to solve is, to devise a middle system, viz., a code of laws, which would prevent any land being rendered unsaleable for any period, except while held in trust for an infant ; which would allow a parent to devise his land *in fee*,<sup>1</sup> but only *in fee*, to any person or persons he pleases ; which would prevent the owner leaving different interests in the same

<sup>1</sup> *I.e.*, so as to give the devisee full powers of sale and disposition.

piece of land to different persons, to come into possession at successive periods; and which would also, by means of an effective and cheap system of registration, a thing that could be easily effected, render the conveyance of a piece of land simple, cheap, and secure.

I have said that the French law *forces* subdivision *as far as it can do so*.

It cannot do so in reality, for it is found that where an estate is too small to be divided further with advantage, one of the children buys the whole, and pays the other children an equivalent in money for their shares; or the whole estate is sold to a stranger, and the proceeds are divided among the children, in the proportion in which the estate would have been divided.

From statistics given by our great economist Mr. Mill, in the Appendix to the first volume of his "Principles of Political Economy," it would seem that the average size of the holdings of the 3,900,000 *smallest* proprietors of France is between *five and eight and a half* acres. And as Mr. Mill says, "Suppose as bad an agriculture as exists anywhere in Western Europe, and judge whether a single family, industrious and economical as the poorer classes of the French are, and enjoying the entire produce of from five to eight and a half acres, subject to a payment of only tenpence an acre to the government, can be otherwise than in a very desirable condition;" and Mr. Mill then goes on to show, from a series of very interesting statistics, "*that there is every reason to infer, from these general data, that the morcellement (or subdivision of the estates) is making no progress,*" while in many parts of France it is actually *diminishing*.

As one proof, among others, of the truth of this conclusion, Mr. Mill gives the following interesting facts. He says, "A new cadastre, or survey and valuation of lands, has been in progress for some years past. In *thirty-seven* cantons, taken indiscriminately through France, the operation has been completed; in *twenty-one* it is nearly complete. In the *thirty-seven*, the *côtes foncières*,<sup>1</sup> which were 154,266 at the last cadastre (in 1809 and 1810), have only increased by 9011, being less than six per cent., in considerably more than thirty years, while in many of the cantons *they have considerably diminished*. From this increase is to be subtracted all which is due to the

<sup>1</sup> *Two côtes foncières*, or separate accounts with the land-tax, correspond to a single proprietor.



progress of building, during the period, as well as to the sale of public and communal lands. In the other twenty-one cantons, the number of *côtes foncières* is not yet published, but the number of *parcelles*, or separate bits of land, has *diminished* in the same period ; and among these districts, is included the greater part of the banlieue of Paris, one of the most minutely divided districts in France, in which the morcellement has actually *diminished* by no less than sixteen per cent."

This system was embodied by Napoleon and his ministers in the Code Napoleon ; and in whatever country the supremacy of the great Emperor was established, there he and his ministers immediately introduced this law ; so convinced were they of the enormous benefits which would accrue to the peasants from such a system, and of the popularity to be gained by the introduction of this change. Several countries, and, among others, the Prussian Rhine Provinces, have retained these laws ever since ; and the peasants of those lands still bless the Emperor's memory, for the vast boon he conferred upon them. It was, indeed, a great, bold, and ably-devised measure. Napoleon knew how these laws would reinvigorate the people ; he knew how the peasants were shackled and demoralised by the feudal laws ; he knew how thankful the peasants and even the lower part of the middle classes would be, to be enabled to obtain land ; and he therefore adopted the best possible plan for rendering himself and France popular with those countries which they conquered ; he freed the people from the feudal laws, and enabled the peasants to become proprietors of the soil on which they laboured. It is the recollection of this fact that accounts, in a great measure, for the singular esteem with which Napoleon's memory is cherished by the people in many parts of Europe. He was their deliverer.

Reichensperger says, "All have acknowledged, that the wonderful manner in which the prosperity of France has increased since 1790, notwithstanding the tremendous wars and revolutions it has passed through, is entirely owing to the laws which now regulate landed property in that country ; that it is entirely owing to this cause that the land of France nourishes at the present day thirty-four millions of people, IN A BETTER MANNER than it used to nourish twenty-five millions ; and that its people, by the increase of their wealth, pay. with less imposed taxation, 1300 millions of francs

annually; when the old monarchy fell because it attempted to raise 500 millions of francs annually."

It is worthy of remark, what a great array of celebrated politicians, economists, and literary men of France, after having personally viewed the effects of the French system, have written in its favour. After Napoleon, its legislator, follow as its defenders, Sismondi, Troplong, Say, De Tracy, Droz, Chevalier, Ch. Dupin, Count Gasparin, Count Villeneuve-Bargemont, Tissot, Chaptal, Passy, Buret. Mathieu de Bombasle, De Carné, De Barante, Morel de Vindé, Moreau de Jonnés, and many others of less note; besides our own English writers, Mill, Laing, Howitt, and others, and the German politicians and writers, Stein, Hardenberg, Thaer, Reichensperger, Dieterici, and others.

Vauban, Mirabeau, Arthur Young, and many other writers, have severally left us very graphic descriptions of the state of the French peasantry, prior to the outbreak of the first Revolution, when the land belonged to the great nobles and the Church, and when the peasants and farmers had scarcely ever any chance of acquiring any. They represent them as reduced to the lowest grade of poverty and civilisation; as badly fed, scarcely covered with rags, wretchedly housed, and only removed one step from famine, to which crowds fell victims in times of even moderate scarcity.

The celebrated Vauban, in 1698, describes their condition as follows<sup>1</sup>:—"It is certain that the mass of pauperism is now extremely great; and that if no aid is afforded, the poor, who have no means of assisting themselves, will sink into a depth of pauperism, out of which they will never again be raised. The great high roads, and the streets of the towns and villages, are full of beggars, who are driven out by hunger and want of everything. . . . *Almost a tenth of the population are as poor as beggars, and actually beg. Of the remaining nine-tenths, five are unable to give alms, because they are themselves reduced to almost the same plight, and of the remaining four-tenths, three are in a very miserable condition.* . . .

And although, as Reichensperger observes, when Vauban wrote thus, the population of France amounted to only sixteen millions, while now it amounts to more than thirty-four millions; yet, notwithstanding, the condition of the poor is now immeasurably superior to what it then was in every respect.

<sup>1</sup> Quoted by Reichensperger, p. 376.

That this miserable state of things had not improved in 1760, we learn from Quesnay, who informs us, that at that time, of thirty-six million acres of arable land in France, thirty millions were cultivated by little farmers, so miserably poor that their landlords were obliged to advance them oxen, seed, and even money, to be repaid at the next harvest.<sup>1</sup>

Arthur Young describes the misery of the peasants of France in his time, by comparing it to that of the Irish labourers ; he says emphatically, "*It reminded me of the miseries of Ireland.*"

But since that time everything has been changed in France. The labourers have been enabled to purchase lands. The extraordinary powers of the landed proprietors have been taken away. The conveyance of land from man to man has been rendered almost as simple as the sale of so many yards of cloth in a draper's shop. The peasants have become proprietors of the farms on which they used to labour as tenants-at-will. The question, which all honest men ought to seek now to answer for themselves is, has this system made the people happier ? I am convinced it has done so. Let us see what the French writers themselves say.

Sismondi says,<sup>2</sup>—"France underwent a Revolution, at a time when the great mass of the population was deprived of property, and consequently of the benefits of civilisation. But this Revolution has, after causing many miseries, bequeathed to posterity many blessings ; and one of the greatest of these is the guarantee that such a scourge can never again afflict the land. The Revolution has wonderfully increased the number of the landowners. There are now (1819) more than 3,000,000 families, comprising 15,000,000 individuals who possess estates of their own, upon which they live. So that more than half the nation are interested, for their own sakes, in upholding the rights of all. . . . The desire of the peasants to become landowners was accomplished by a great deed of violence, viz., by the confiscation of national property of every kind. The miseries of war, both foreign and civil, are no doubt evils which our nature dreads, as it does floods and earthquakes. But as soon as the scourge has ceased, we ought to rejoice if any good result has been effected : *and in this case, the good which was effected could not most certainly have*

<sup>1</sup> See Reichensperger, p. 376.

<sup>2</sup> Sismondi, *Nouv. Principes*, liv. iii. c. 3, quoted by Reichensperger.

*been more valuable or more certain of duration.* The breaking up of the great estates proceeds daily ; daily are great estates sold, with advantage to the public, to persons who formerly farmed them, and who improve their cultivation. The nation is still removed from having reaped all the advantages which it may expect from this division of the land, since habits are only slowly formed, and because the spirit of order, of economy, of cleanliness, and of elegance, can only follow a long enjoyment of the new order of things."

In another place he says,<sup>1</sup>—"Whilst the condition of the agricultural labourers in England proceeds rapidly towards disorganisation, and is already disturbed in the country districts, *the peasants of France are improving and rising in the social scale* ; they are establishing their prosperity on a sure foundation, and without giving up labouring with their own hands ; they are enjoying great prosperity ; they are receiving intellectual cultivation, and are beginning, although but slowly, to avail themselves of the discoveries of science. In fact, the condition of agriculture, and of the agricultural classes in France, is as prosperous as the present political circumstances of the country permit."

Reichensperger says, that the comparative results of the English and French systems may be inferred from the fact, that in every 100 inhabitants, there are in France, according to Lawätz, 7 paupers, but, according to Villeneuve, only 5 paupers ; in Prussia, according to Schmidt, 3½ paupers ; while in England there are from 16 to 20 !

Buret, who visited England prior to laying a report on pauperism and its causes before the Institute of France, says that in France there is *poverty*, but in England there is *misery*.

Troplong, one of the ablest of the living lawyers of France, speaks in the highest terms of the results of freeing land from all restrictions preventing its sale, and thus enabling the peasants to acquire land. "This result,"<sup>2</sup> he says, "appears to me a fortunate one, when considered politically, economically, or socially : it is good that labour should reap its own fruits ; it is good that the labourer should be enabled to attain a position of independence and of certainty ; it is especially good in a society of democratic tendencies that firm foundations of social order and strong conservative interests should be formed. This peasant proprietor class has the conservative

<sup>1</sup> Nouv. Princ. liv. iii. ch. 8.

<sup>2</sup> Reichensperger, p. 379.

feelings of a landed aristocracy, without their injurious luxury and extravagance ; it is equally active and successful, but less ambitious. No other class has so much to lose in the bloody game of revolutions. The state is always certain to find in it the elements of order, and the spirit of industry and peace."

I have no need to observe how singularly these remarkable words have been verified in the late French Revolution. The peasant proprietors have been animated, throughout nearly the whole of France and Germany, with the best possible spirit. The demagogues failed to incite them to sedition by any promises. The people felt they were proprietors, and that they had something to lose. They have universally shown themselves in favour of the most liberal reforms in the political regulations, but extremely adverse to anything like disorder and strife.

Le Comte Chaptal<sup>1</sup> says,—“ Before the Revolution (of 1789) the land of France belonged to three very different classes of *possessors*. The first consisted of persons who had scarcely any interest in the amelioration of the lands ; the second consisted of rich persons who lived in the great cities or at court, and troubled themselves very little about the improvement of their estates ; the third consisted of a great number of little farmers who rented a small farm, but received so small a part of the returns of their labour as scarcely to supply their necessities, and who neither possessed intelligence nor money enough to undertake improvements. Now, all is changed. There are no longer any landowners, who do not themselves, either from necessity or interest, take the greatest pains to improve the cultivation of their lands. The tolerably even apportionment of the land-tax, the repeal of a great number of oppressive and injurious customs, *the division of the land among a great number of owners*, have stimulated industry throughout the country, and introduced improvements which have raised French agriculture to a high degree of perfection.” In another work, Chaptal speaks, in a yet more decided tone, of the good results of the division of the land in France. He says,<sup>2</sup>—“ The wonderful change of property which has taken place in the last thirty years, and the creation of a great number of proprietors, must necessarily have led to an improvement of agriculture. A long experience has

<sup>1</sup> Des Progrès de l'Industrie Agricole et Manufacturière en France, v. ii. p. 168.

<sup>2</sup> De l'Industrie Française, quoted by Reichensperger.

shown that the new proprietor of a plot of land is much more earnest about its cultivation than the former one was ; he studies to increase its produce, and shuns no pains to attain this end. He cultivates every bit of land which seems capable of producing, and does not rest until he has perfected all possible improvements. Formerly, there were estates in France of very great size, the produce of each of which scarcely served for the nourishment of a single family ; *circumstances have caused their division, every part of them has been brought under cultivation, and their produce has increased TENFOLD.* Proofs of the truth of this assertion may be found in all parts of France. . . . When one compares the present cultivation of the land with that of 1789, one is astonished at the improvement which has taken place. Harvests of all kinds cover the land, a more numerous and stronger race of cattle labour on and manure the land. *Healthy and rich nourishment, clean and comfortable dwellings, and simple but good clothing, have been acquired by the inhabitants of the country ; misery is banished, and general prosperity has arisen, out of the power of disposing freely of the land."*

And this, be it remembered, is said of a people who, in 1789, were described by Young as being as miserable as the Irish.

Ch. Giraud<sup>1</sup> finds the cause of the present wonderful prosperity of agriculture in France in the system of peasant proprietors. He is of opinion that the division of landed property, and elevation of the peasants to the position of proprietors, has stimulated the industry of the farmers, and has proved the superiority of cultivation by small over the cultivation by great proprietors.

De Barante has treated the question of peasant proprietors politically, and he shows that every regulation which tends to draw the population from the villages into the towns, is a great political error, as political riots are never begun in the country districts, but in the streets and squares of the towns. "Nothing,"<sup>2</sup> he says, "makes a people calmer or more moral, than the great subdivision of the land, a regulation against which persons who have more envy than intelligence have raised a sort of opposition. By means of this division the

<sup>1</sup> Essay on the History of French Jurisprudence in the Middle Ages, published in 1846. See Reichensperger, *Die Agrarfrage*, p. 383.

<sup>2</sup> De Barante : *des Communes et de l'Aristocratie*, quoted by Reichensperger.

whole population become sharers in the public interests ; all are made to love peace and order, which are so necessary to their prosperity ; the poor man is made economical and saving ; he works harder because he works for himself ; his life becomes more regular ; and he acquires respect for property, because he himself is a proprietor.

“As far as regards national prosperity and the improvement of agriculture, *one must shut one's eyes if one would not see how much both have gained by the new order of things.*”

“In the greatest communes one finds scarcely ten persons who do not assist ; the soil is, so to speak, cultivated with the spade ; it produces like a garden, AND YIELDS A TENFOLD HARVEST. The miseries of poverty are lessened, since every man is able to care for himself and for his family, and from due precaution prepares more than his own family requires. By this means the whole land is covered with small and divided stores, which together form a great and excellent safety *dépôt*. Besides, the great variety of products, which the division of property encourages, assists in diminishing the evils of an insufficient harvest.”

De Carné expresses a very decided opinion that the subdivision in France has reached its utmost limits, and that, while some of the greater estates are subdivided, many of the smaller ones are reunited ; and that the tendency of things is to increase the number of those proprietors who possess middle-sized farms, and to lessen the number of both the large and the extremely small estates throughout the country.<sup>1</sup>

“One of the most recent of the French writers, Eugène Buret, has inquired, with great acuteness, into the causes of poverty in different countries, but he does not find it in the system of small properties. He thinks the state of the agricultural classes of France—whose soil is laboriously but praiseworthy cultivated by a crowd of small proprietors—a happy one, and expresses his conviction that one chief error in the state of Great Britain is that a small plot of land cannot be obtained there ; while, in France, the too great expense of the system of conveying land, and the too great burden of taxation on the poorer classes, are the only causes which prevent the country reaping the full benefits of their present system of agriculture.”<sup>2</sup>

<sup>1</sup> De la Démocratie aux Etats-Unis et de la Bourgeoisie en France.

<sup>2</sup> Die Agrarfrage, p. 385.

M. Eugène Buret says,—“ And yet, although one part of the population of each of the two countries (England and France),—viz., the manufacturing population—is subjected to the same economical regulations, we are able to declare that the majority of the French people will never sink into such distress, as that in which the English poor are plunged, and still less into that more frightful distress, towards which the English poor are rapidly advancing. Happily for us, the two people do not resemble one another, either in their present or in their future.

“ Between them, there is the vast difference of a revolution. One-third only of our poor are employed in manufacturing operations ; the other two-thirds live by the cultivation of the soil. This majority of the French population, although generally poor, is in an economical condition, to which it is not possible to compare the condition of the English people. It possesses a considerable part of the soil, upon which it labours, and it is gradually acquiring a greater share of the land, thanks to the law which divides the lands of the deceased equally among his children. The land does not, with us, belong to a class distinct from that of the labourers, or to certain privileged persons who are, so to speak, irremovable. The labourers upon the lands in our country are almost all of them elevated to the dignity of proprietors ; and, after having lent their arms to the master who employs them, they are still able to enrich, by their labours and by their intelligence, a small plot of land, which belongs to themselves. In France, there is some land for every one ; whilst, in England, the agricultural labourers cannot obtain any, either on hire, or at a very high price. I need not again remind my readers of the peasants of Berkshire, of whom I have already said, that they beg in vain for a little land in which to plant some potatoes. In Great Britain, the agricultural labourer works for wages, without having any interest in the land upon which he labours. The great estates, and the great farms, condemn him to that condition of dependence which is the bane of his industry ; while the competition of the day-labourers for work—which requires no apprenticeship, but only the exercise of brute force—keeps the wages much below what is necessary for the proper support of the labourers.

“ For such a state of things—which is the absolute separation of capital and labour—there is no possible economical



remedy. It is more difficult to liberate labourers from dependence upon a proprietor, than to free them from tyranny. In order to conquer civil liberty, force and audacity only are necessary ; but to raise the labourers to a better economical position, great intelligence and great riches are necessary. It is necessary for them to become capitalists in their turn ; and how can this great work be accomplished, when both the political and the social institutions of a country are opposed to it ; when the law protects the feudal estates from the bad management, from the imbecility, and from the folly of the proprietors themselves ? The future will show us what will be the result of the English system.

“In France, the state of the laws relating to property is quite contrary to the state of these laws in England : it is the extreme division. It is, perhaps, the abuse of a good opposed to the extreme of an evil. The system of small proprietors, and of cultivation of small farms, in our country, is opposed to a system of great proprietors and of cultivation of great farms in England. Landed estates pass from hand to hand, and separate and unite in our country with such a strange rapidity, that economists have busied themselves about the evil effects that the extreme division of the soil produces.

“Such is the condition of man in society, that even good principles themselves may degenerate into abuses. But happily, the inconveniences which result from a good principle badly applied may be diminished, or even destroyed, by wise reforms. Good principles carry in their natural development a remedy for abuses. It is already easy to see whither the progressive division of the soil will conduct an intelligent nation. It is quite evident that there is a means of combining the advantages of cultivation on a great scale, with the advantage of that division of the soil which, in augmenting the number of proprietors, augments progressively the number of individuals directly interested in making the land produce more.

“*The means is, to associate the possessors of neighbouring lands, so as to cultivate them in common in the manner the most economical and advantageous to all the proprietors.* To arrive at this end requires neither revolution nor violence. The natural progress of men and of things must necessarily modify,

in this manner, the economical management of the land in France. *En attendant, however, our peasant proprietors are poor, but they are not miserable.*"<sup>1</sup>

"M. Chevalier has, in his lectures upon political economy, considered the same question, and has laid the greatest weight upon the condition of agriculture. He pleads for a better system of credit, for improvement of roads, means of watering the lands, &c., so as to increase by one-half the produce of the lands; but no complaint ever escapes him of the agriculture of France being injured by too great division; but it is, on the contrary, manifest from his whole system, that he regards this division as a great benefit."<sup>2</sup>

Mathieu de Bombasle says,<sup>3</sup>—"During the last half century the French system of agriculture has been greatly improved; and if a proof of the truth of this were needed, it might be found in the fact, that the *present thirty-three millions of inhabitants obtain a richer and a better nourishment than the twenty-five millions of the old monarchy used to do.* The increase in the value of this year's agricultural products, over that of the first year of this present century, is at least 1500 million francs."

"M. C. Dupin also rejoices in the increasing number of the small proprietors of land, and recognises it, as a great guarantee for the gradual and steady development of all the resources of the country."<sup>4</sup>

The next authority upon this subject is that of Le Comte Gasparin. His testimony is very able, and very well worth perusal. He says,<sup>5</sup>—"If it were really true that nothing could prevent the progressive subdivision of landed property, that the father's plot of land would be reduced to a ninth or a twelfth for his grandson, and that after three generations, each Frenchman would only possess  $\frac{1}{243}$  of an acre, then we should be all of us obliged to share the doubts of those who oppose our present system; and to endeavour, in spite of the principles of equality and justice, and of all opposition, to prevent the subdivision of the land. Who, however, does not perceive that the conclusions of those who prophesy such results, are

<sup>1</sup> De la Misère des Classes Laborieuses en Angleterre et en France, tome première, p. 238.

<sup>2</sup> Die Agrarfrage, p. 385.

<sup>3</sup> Spectateur de Dijon, 9th Oct. 1840, quoted in Die Agrarfrage.

<sup>4</sup> Die Agrarfrage, 836.

<sup>5</sup> Revue des Deux Mondes, Janvier, 1843.

open to the same objection as the arguments of Malthus? they are indeed mathematically true, but in practice they are very considerably modified. It is quite true that, as far as the law is concerned, it is possible that the land may go on subdividing *ad infinitum*; but how do people avail themselves of this legal possibility? It is true that the numbers of proprietors increase year by year, but one perceives that this division is effected at the cost of the greater proprietors. The smaller plots do not generally subdivide any further. Although some foolish fellows here and there, when they inherit a share of a little plot, demand to have it divided, yet the generality of the people understand very well the evil of an estate of great circumference but of small contents. In these cases they generally effect an arrangement; one man takes the whole property, or else one of the prosperous neighbours purchases it and adds it to his own estate; so that what the system of division had formerly separated are again consolidated. I do not know what takes place in those countries where the subdivision of land is of recent date, and where experience is wanting; but in my country, where people have gained experience, the great estate divides, while small estates are again consolidated, so that the estates assume such a middling size as best suits the real interests of the people. . . . In France, the small properties flourish, are purchased at high prices, and return a good profit."

Le Comte Villeneuve-Barjémont, who acted as *préfet* in one of the French departments, and who has given great attention to, and made many researches into, the causes of pauperism and the effect of the subdivision of land, declares it to be his opinion that there is no reason to dread an excessive subdivision of the land. He says,—“If any one travels through the agricultural districts of the greatest part of France, where the land is subdivided the most, he will find *few paupers, few beggars, and few unemployed persons*. The population is, moreover, a stronger one, education is not less diffused among them, and their morality is greater.”<sup>1</sup>

M. Passy, in a work entitled “De la Division des Héritages et de l’Influence qu’elle exerce sur la Distribution des Richesses,” which was published in 1839 in the “Mémoires de l’Académie des Sciences Morales et Politiques” (tome ii. 2<sup>e</sup> série, p. 183.

<sup>1</sup> Economie Politique Chrétienne, 1824, v. i. p. 305.

*et seq.*), opposes the doctrine that the great subdivision of the land in France is likely to increase beyond its natural limits, so as to pauperise the little proprietors. He proves that the small estates have just as great a tendency to *unite*, as the larger estates have to *divide*. He shows that in the twenty years which elapsed between 1815 and 1835, during which period the population had increased 14 per cent., notwithstanding the continued subdivision of the greater estates in France, notwithstanding the increase of population; notwithstanding that the same persons were often entered in many different communal registers as distinct proprietors; notwithstanding the bringing into cultivation of many waste lands, and notwithstanding the building in the country districts of many manufactories, each of which is registered as standing on a small estate of its own; the number of the landed proprietors of France only increased 8 per cent.

De la Farelle<sup>1</sup> says, "that it is an error to suppose that the land is as much subdivided in France as some writers have represented. He says, that the error originated from calculating all the names entered upon the different communal registers as names of different *individuals*, while in truth the names of very many proprietors are entered many times in different registers, as they possess lands in different communes. He calculates the number of proprietors in France at 5,000,000."

One, however, of the most remarkable testimonies in favour of the system of peasant proprietors is M. Passy's account<sup>2</sup> of the progress of agriculture in the Département de l'Eure, in France, since 1800, when the lands began to divide, and when the peasants began to purchase farms. This department is, as Reichensperger says, singularly fitted to exemplify the results of the peasant proprietor system, inasmuch as it possesses no peculiar advantages over the other agricultural departments, and inasmuch as it contains few towns and no great number of manufactories. It is, in truth, simply an agricultural department. We shall not then be acting unfairly or illogically in adopting the results of the peasant proprietor system in this department, as a fair illustration of its general results throughout France. M. Passy gives the following table,

<sup>1</sup> Du Progrès Social au Profit des Classes Populaires,—quoted by Reichensperger.

<sup>2</sup> Journal des Economistes, 1842, p. 44

which shows that the agricultural products of this department have greatly increased, not only in value but in quantity also, since the peasants were enabled to purchase farms for themselves.

Kinds of Products.	Total Number of Hectolitres or Kilogrammes.		Value of the Products, estimated according to their Mean Price at the Time.	
	1800.	1837.	1800.	1837.
			Francs.	Francs.
Wheat . . .	1,475,173 Hect.	1,742,729 Hect.	23,502,768	27,883,664
Mixed Grain	289,000 "	419,451 "	3,757,000	5,442,863
Rye . . .	136,000 "	211,221 "	1,369,800	2,112,210
Barley . . .	73,000 "	108,269 "	730,000	1,082,690
Oats . . .	578,760 "	1,324,878 "	4,051,320	9,274,146
Buckwheat.	2350 "	2914 "	7050	8742
Potatoes . .	224,000 "	1,221,130 "	672,000	3,663,293
Peetroot . .	12,250 "	166,925 "	24,500	332,850
Vineyards .	34,338 "	18,651 "	686,760	373,020
Artificial Meadows .	3,042,025 Kil.	170,130,100 Kil.	91,261	5,108,903
Natural Meadows .	62,729,500 "	96,971,300 "	1,884,785	2,909,139
Gardens . . .	...	...	1,671,000	3,328,400
Cabbages . .	6940 Hect.	33,738 Hect.	152,680	742,676
Wood . . .	146,640 Kil.	133,200 Kil.	65,988	59,941
Flax . . .	1,456,150 "	1,071,760 "	2,912,300	2,143,520
Hemp . . .	129,600 "	261,090 "	129,600	261,690
Cider . . .	733,500 Hect.	926,800 Hect.	5,134,800	6,487,600
Vegetables .	54,210 "	55,856 "	1,084,200	1,117,120
Total . . .	...	...	47,614,812	72,428,364

This table shows, as Reichensperger says, that in the thirty-seven years which elapsed between 1800 and 1837, the value of the products of the department increased 54 *per cent.*, while the population of the department only increased during the same time from 403,506 to 424,762, or little more than 5 *per cent.*; so that in 1800 there was 128 francs' worth of agricultural products per head, while in 1837 there was 162 francs worth per head.

But it will perhaps be asked, was there not a diminution in the number of cattle fed by the department during these years, to account for this increase in the amount and value of the agricultural products? Quite the contrary; M. Passy says

that there was, on the other hand, a great *increase*, as exhibited in the following table :—

Kinds of Cattle.	1800.	1837.	Increase.	Decrease.
Horses . . . .	29,533	51,151	21,618	
Horned Cattle . .	50,809	105,745	53,876	
Sheep . . . .	205,111	511,390	306,279	
Pigs . . . .	46,646	49,191	13,545	
Goats . . . .	292	808	516	
Asses and Mules .	6807	5961	...	846

If it is fair to take this department as a sample of the progress of agricultural affairs throughout France, then indeed there can be no longer any doubt of the extraordinary benefits of the system of farming by means of small proprietors.

But whether we take it as a sample or not, it shows, at least, what amazing results it is possible to attain with a small estate system.

The Minister of the Interior to the King of Prussia, in 1843, and the Minister of Statistics in the same country, the latter of whom has lately travelled in the departments of France, to observe the progress of agriculture,—both of them bear witness to the flourishing and improving condition of agriculture in the latter country; and they show that there are in France 823 agricultural associations, 20 model agricultural institutions, 9 chairs for agricultural professors, and 4 agricultural institutes, founded for the promotion of the study of agriculture.<sup>1</sup>

Another equally remarkable and incontrovertible testimony in favour of the small proprietor system in France, is the report of the Central Agricultural Congress at Paris, published in the “*Journal des Débats*,” 30th March 1847, in which the condition of agriculture in France in 1788, when the land was in the hands of a few proprietors, is compared with its present condition.

From that report it appears<sup>2</sup> that in the year 1788, only 612 litres of wheat and corn were raised per hectare, and that from 1700 to 1788, that is, during the time when the land

<sup>1</sup> Reichensperger, *Die Agrarfrage*, p. 394.

<sup>2</sup> *Die Agrarfrage*, p. 395.

was consolidated in the fewest number of hands, agriculture made no progress. While in 1839, only 39 years after the land was divided, 1301 litres of wheat and corn per hectare, *i.e.*, MORE THAN TWICE AS MUCH PER HECTARE AS IN 1788, just before the land was divided, were raised in the *whole* of France, and in many departments, as many as 1400 litres per hectare were raised!

According to the same Report also, in 1760, only seven millions of the French people lived on wheat and corn, while in 1843, *twenty millions* of the French people lived on wheat and corn, and the remainder were much better nourished than in the former period.

Is it possible, after such facts as these, to doubt the benefits of the small proprietor system?

Another testimony in favour of this system is that of M. Bertin, sous-préfet of the arrondissement of Fougères, the most eastern district of Brittany. The report upon this arrondissement, published by M. Bertin, in 1846, is quoted by Mr. Mill, in the Appendix to the first volume of his Principles of Political Economy, as follows:—" 'It is only since the peace,' says this intelligent functionary, 'that the agriculture of the arrondissement has made much progress: but from 1815 it has improved with increasing rapidity. If from 1815-1825, the improvement was as one, it was as THREE between 1825 and 1835, and SIX since that period.' At the beginning of the century, little wheat was cultivated, and that little so ill, that in 1809 the produce per hectare was estimated at only 9 hectolitres. At present M. Bertin estimates it at 16. The cattle being better fed and crossed with more vigorous breeds, have increased in size and strength; while in number, horned cattle, between 1813 and 1844, multiplied from 33,000 to 52,000; sheep, from 6300 to 11,000; swine, from 9300 to 26,100; and horses, from 7400 to 11,600! New and valuable manures have been introduced, and have come largely into use. The extent of meadow land has increased, and is increasing, and great attention has of late been paid to its improvement. This testimony comes from an enemy of the *morcellement*, who, however, states that it is advancing very slowly, and is not likely to advance much further, the coheirs not dividing each *parcelle*, but either distributing the *parcelles* among them, or disposing of them by private or public sale. Some farmers, he says, who are also proprietors, have the

good sense to sell the few fields which belong to them, in order to increase their farming capital. M. Bertin is an enemy to stall-feeding, which, he says, is not practised in his arrondissement. The increase of live stock is therefore the more remarkable. . . . Of the food of the inhabitants, he says, not long ago it was composed almost exclusively of milk, buckwheat cakes, and rye bread, *but has greatly improved in quantity, quality, and variety*, especially in the last ten years, and now consists of *wheaten bread*, or bread of two-thirds wheat and one-third rye, with butter, vegetables, and, 'in good farms,' about a kilogramme (or  $2\frac{1}{4}$  lbs.) of pork per week for each person. There is also some consumption of other flesh-meats among the labouring people, and the arrondissement contains sixty-three butchers' shops, where fifteen years ago there were not thirty, the increase not being in the towns (or rather town) but in the villages. The clothing of the rural population is substantial, 'and different for every season, which is always a sign of general comfort;' and '*persons in rags are very rare in this arrondissement.*'"

Since this sheet went to the press, a very remarkable paper has been read before one of the scientific societies of Paris, by the well-known statistical writer, M. Moreau de Jonnés, showing in the most striking manner, from a comparison of the statistics of different periods, the remarkable and progressive improvement which has taken place in French agriculture, and in the social condition of the peasants since the division of the land; but hitherto I have not been able to obtain a copy of it.

There are several points connected with the progress of French agriculture, and the social condition of the French peasantry, upon which all English travellers and all writers are agreed. They are the following:—

1. It is allowed by all that the industry of the peasant proprietors is quite marvellous, that they seem to spare no pains which can by any possibility increase the fertility of their farms, and that it is a wonderful thing to see how enthusiastically both men and women labour on the farms. Some travellers call this a miserable drudgery. To me it has always seemed a labour of love and hope, inasmuch as the French peasant knows that he is working, not for a landlord or master, but for himself, and that he and his family will derive all the benefits of every improvement of the productive-



ness of his farm. If they did not feel a real pleasure in their work, they would not labour as they do. Misery and the mere fear of starvation do not make men intensely industrious. All the miseries of the Irish have failed to produce this result.

2. It is allowed by all that the *cultivation* of the farms of France is very beautiful, and that the fields are cleaned, weeded, manured, and irrigated, as if they were so many gardens. Each little proprietor knows intimately every square yard of his estate, and is prompted by his desire to improve the condition of his family, and, by the interest which, as owner, he feels in his property, to make it as fertile and productive as possible. The extraordinary manner in which the irrigation of the land is managed in the southern provinces, and in which the streams and rivers are made to refresh the lands in the dry seasons, and the richness of the verdure and green crops which the peasants obtain by these means, are said by all travellers to be very remarkable, and to testify, in the strongest manner, to the enthusiastic industry and enterprise which the division of property inspires.

3. It is allowed by all travellers, and by all writers on the subject, that the clothing of the peasantry is very good and comfortable. Even those who are the most inveterately hostile to the division of landed property, bear evidence to these facts; while all French authorities concur in stating that the character of the clothing of the peasantry has very considerably improved of late years.

Some persons talk of peasant proprietors, as if these latter could not sell their estates, even if they found that they could not cultivate them profitably. But this is to exhibit a total ignorance of the whole system. The system of peasant proprietors is literally a system of *free trade in land*. If an owner of an estate under this system has not sufficient capital to enable him to cultivate his land profitably, he has two courses always open to him, viz., to borrow capital by mortgaging his land, or to sell the land to some one who has capital. A peasant proprietor will never keep his land, if he cannot make a fair profit from it, so as to repay him for his labour and his expenditure. If he has mortgaged it so heavily as not to leave him any hope of raising more upon it, or of supporting his family comfortably after paying the mortgage, he can always sell his land, pay off

the mortgage, and hire himself out as a day labourer, until he and his family have saved enough wherewith to purchase another farm. *Under this system, therefore, land never remains long in the hands of those who are not able to cultivate it profitably, or who are not interested in its cultivation.* But under the system of entails and of great estates, we know that it is constantly the case that landlords have no capital wherewith to cultivate their land ; that they have already borrowed so much upon it that they can borrow no more ; and that they *cannot*, owing to the terms of the settlement, sell their estate or any part of it ; so that the landlord finds his hands tied fast, while the estate is left in a state of miserable cultivation, because its owner has no spare capital to expend upon it, and because he *cannot* sell it to any one else who has spare capital, and who would feel interested in improving the land, although there may be many such purchasers in the market.

Under the German, French, and Swiss systems, a peasant proprietor never retains his land in his own possession, if he finds he cannot make a profit from it large enough to live upon. There are no regulations, no laws, no settlements, which prevent the peasant selling whenever he feels disposed to do so.

There are always great numbers of rich merchants or small shopkeepers, who wish to invest capital in land, and who are able to bring capital to its cultivation.

It is the principal feature of the foreign systems, that land can be brought into the market just as easily and cheaply as any other commodity. It can be passed from hand to hand with the greatest facility. This feature of these systems secures their vigour and the productiveness of cultivation in those countries, where they are in force. Land and capital are not necessarily separated. They can be always easily united.

Small estates, however, under a system of strict settlements and complicated successions, such as ours, will always be ruinous ; because, under such systems, the small proprietor cannot get rid of his land, when he feels it is ruining him to cultivate it. Land under such a system is often kept for years in the hands of men who have no capital to expend upon it. So in Saxony, before the beginning of the present century, there were a number of small proprietors, who held their lands under strict settlements ; and accounts published in those times represent the condition of the proprietors themselves, and that

of their farms, to have been wretched, and to have been progressively deteriorating ; and those old reports, with great discrimination and justice, declare, that the cause of that state of things was, not the smallness of the estates, but that the small proprietors could not dispose of their lands to men of science and capital, when they felt it to be their interest to do so.

# INDEX OF SUBJECTS IN THE APPENDIX.



	PAGE
2. THE EDUCATION OF THE PEASANTS, COMBINED WITH THE SUBDIVISION OF LAND, TENDS TO STRENGTHEN THEIR PRUDENCE, FORESIGHT, AND ECONOMY . . . . .	178
The laws prohibiting marriage in certain cases in Switzer- land . . . . .	178
Opinions of Reichensperger and Thaer . . . . .	180
Statistics of the age of marriage in Geneva, Vaud, Prussia, and England . . . . .	182
The postponement of marriage does not necessarily in- crease the immorality of the peasants . . . . .	186
Opinions of Mill, Laing, Sismondi, Rau, Quetelet, and Legoyt . . . . .	191
Statistics showing the rate of the increase of population in different countries . . . . .	192
The parish of Montreux . . . . .	195
Opinion of Nicholls . . . . .	196
The small amount of pauperism in some of the Protestant cantons of Switzerland . . . . .	197
5. THE EDUCATION OF THE PEASANTS AND THE DIVISION OF THE LAND TEND VERY GREATLY TO IMPROVE THE CULTIVATION OF THE LAND . . . . .	199
The difference between tenants-at-will and peasant pro- prietors . . . . .	199
The Irish peasants are tenants-at-will . . . . .	200
Opinions of Reichensperger and Kraus . . . . .	201
The produce of land farmed by small proprietors is greater than its produce when farmed by great proprietors . . . . .	203
Opinions of Reichensperger, Rau, Thaer, and Shubert . . . . .	203
Increased productiveness of agriculture in Prussia since the subdivision of the land . . . . .	208

	PAGE
Rau's account of agriculture in the Palatinate . . . . .	208
Banfield's account of the condition of agriculture in the Prussian Rhine provinces . . . . .	212
Opinions respecting the progress of agriculture in Prussia	215
The improvement in the cultivation of the land in Saxony and Switzerland since the division of the lands . . . . .	219
The difference between the state of agriculture in Wales and Scotland and in Saxony and Switzerland . . . . .	220
Gleig's account of farming in Saxony . . . . .	221
The hillside farming in Saxony . . . . .	224
The agricultural colleges of Switzerland and Germany . . . . .	225
Sismondi's description of the peasant proprietors of Switzerland . . . . .	229
Nicholls' and Reichensperger's descriptions of the small farms of Belgium . . . . .	230
Howitt's account of peasant farming in the Palatinate and in Germany . . . . .	231
Professor Rau's account of the state of agriculture in the Palatinate . . . . .	235
Strohmeier's account of the progress of agriculture in the canton of Soleure . . . . .	236
Professor Vulliemin's account of the progress of agricul- ture in the canton of Vaud . . . . .	237
Herr Von Knonau's account of the progress of agricul- ture in the canton of Zurich . . . . .	237
Herr Pupikofer's account of the progress of agriculture in the canton of Thurgovie . . . . .	238
Herr von Knonau on the management of cattle in Zurich	238
Inglis' account of farming in Switzerland . . . . .	240
Laing's account of the farming by peasant proprietors in Norway and on the Continent . . . . .	240
The cultivation of the small farms in Flanders . . . . .	244
Mr. Mill's opinions of the excellent effects of the system of peasant proprietors . . . . .	245

6. THE EDUCATION OF THE POOR AND THE DIVISION OF THE LAND TEND GREATLY TO IMPROVE THE CHARACTER OF THEIR HOUSES AND OF THEIR VILLAGES . . . . .	253
The cottages in Prussia and the Rhine provinces . . . . .	254
Banfield's description of the peasants' farms in the Rhine provinces . . . . .	255
The difference between the state of the town labourers of England and Germany . . . . .	257

	PAGE
Dr. Bruggeman's opinion . . . . .	257
The cottages in Switzerland.—Von Knonau's description of the peasants' houses in the canton of Zurich . . . . .	259
Bronner's description of the peasants' houses in the canton of Aargau . . . . .	261
Strohmeier's description of the peasants' houses in the canton of Soleure . . . . .	262
Pupikofer's description of the peasants' houses in the canton of Thurgovie . . . . .	262
Professor Vulliemin's description of the peasants' houses in the canton of Vaud . . . . .	263
Im Thurm's description of the peasants' houses in the canton of Schaffhausen . . . . .	263
Von Knonau's description of the peasants' houses in the canton of Schweiz . . . . .	263
Symon's description of the peasants' houses in the can- tons of St. Gall and Appenzell.—Chambers' opinion of the condition of the Swiss peasantry . . . . .	265
Mügge's description of the improvement of the condition of the peasantry in the canton of Vaud since the aboli- tion of the feudal laws . . . . .	265
Sismondi's description of the social condition of the peasant proprietors of Switzerland . . . . .	266
Laing's description of the social condition of the peasant proprietors of Switzerland . . . . .	266
Nicholls' description of the houses and social condition of the small proprietors of Belgium . . . . .	267
Reichensperger's opinion of the effect of the subdivision of land upon the peasants of Prussia . . . . .	268
The difference between the state of the houses of the peasants in those parts of Germany where the land is divided, and in those parts where it is not divided . . . . .	268
The causes of the miserable condition of the houses of the peasantry in countries where the land is in the hands of a few persons . . . . .	269

8 ONE GENERALLY TRUE INDEX OF THE CONDITION OF THE  
POORER CLASSES OF ANY COUNTRY IS THE CHARACTER  
OF THEIR AMUSEMENTS . . . . . 273

The respect for property, and the absence of enclosures,  
enable the townspeople in Germany to enjoy walks  
through the fields.—The little respect shown for landed  
property in our manufacturing districts . . . . . 274

9. THE EDUCATION OF THE POOR AND THE SUBDIVISION OF LAND TEND VERY MATERIALLY TO IMPROVE THE HEALTH AND SOCIAL COMFORTS OF THE POORER CLASSES	275
The food of the German poor.—Reichensperger's opinion	275
The increase in the consumption of bread by the Prussians, as shown by Banfield's statistics . . . . .	276
The increase in the consumption of meat by the Prussians since the division of the lands . . . . .	277
The increase in the general consumption of the Prussians since the subdivision of the land, as shown by the Report of the Prussian Minister of Statistics . . . . .	278
Opinions of the Minister . . . . .	279
Pupikofer's account of the food of the poor in the canton of Thurgovie.—Im Thurm's account of the food of the poor in the canton of Schaffhausen.—Professor Vulliemin's account of the food of the poor in the canton of Vaud . . . . .	280
10. THE EDUCATION OF THE PEASANTS AND THE DIVISION OF THE LAND TEND TO RENDER THE PEASANTS VERY CONSERVATIVE IN FEELING . . . . .	282
The peasant proprietors of France . . . . .	283
Of Germany . . . . .	284
Of Switzerland . . . . .	288
Their conduct during the late political revolutions . . . . .	288
What would be the effects of free trade in land in Ireland . . . . .	291
12. THE FREEDOM OF THE LAND FROM THE OLD FEUDAL RESTRICTIONS, ENABLES THE SMALL SHOPKEEPERS TO ACQUIRE LAND . . . . .	292
The great advantage of making it possible for our shopkeepers to acquire land . . . . .	293
13. THE DIVISION OF LANDED PROPERTY REDUCES THAT INTENSE COMPETITION FOR WEALTH WHICH DISTINGUISHES ENGLISH LIFE . . . . .	294
The intense competition of the different classes in England reacts very unfavourably upon the poor . . . . .	295
The results of the great property system in Ireland . . . . .	299
The present condition of Ireland . . . . .	301
The causes of that condition . . . . .	302
The remedy for Irish misery . . . . .	308

	PAGE
14. THE OPINIONS OF GREAT WRITERS ON THE RESULTS OF THE DIVISION OF LANDED PROPERTY IN FRANCE .	311
Mill, Napoleon and his Ministers . . . . .	313
Reichensperger, Sismondi . . . . .	315
Troplong . . . . .	316
Chaptal . . . . .	317
Giraud de Barante, De Carné, Buret . . . . .	319
Chevalier, De Dombasle, C. Dupin, Gasparin . . . . .	322
Villeneuve Bargemont, Passy . . . . .	324
Report of the Central Agricultural Congress . . . . .	326
Bertin . . . . .	327
Points upon which all travellers in France are agreed . . . . .	328

THE END.



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